

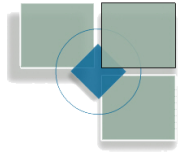


DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 500

Decatur, GA 30030

(404) 371-2155 / plandev@dekalbcountyga.gov



Michael Thurmond
Chief Executive Officer

Planning Commission Hearing Date: January 7, 2021

Board of Commissioners Hearing Date: January 28, 2021

STAFF ANALYSIS

Case No.: Z-20-1244238 **Agenda #:** D-5

Location/Address: The south side of Erskine Road, the west side of Oakmont Drive, and the northeastern terminus of Oakmont Drive, approximately 430 feet west of Rays Road at 4549 Erskine Road and 1247 Oakmont Drive in Clarkston, Georgia. **Commission District: 4 Super District: 6**

Parcel ID: 18-121-02-001, 18-121-12-007

Request: To rezone properties from R-85 (Residential Medium Lot-85) District to RSM (Small Lot Residential Mix) District to construct urban single-family detached townhomes at a density of 4.38 units per acre.

Property Owner: Erskine Park, LLC

Applicant/Agent: Battle Law, P.C.

Acreage: 12.11

Existing Land Use: Vacant land

Surrounding Properties: Single-family homes

Adjacent Zoning: **North:** R-85 **South:** R-85 **East:** R-85 **West:** R85

Comprehensive Plan: SUB (Suburban) **Consistent** **Inconsistent**

Proposed Density: 4.38 units per acre **Existing Density:** NA
Proposed Units/Square Ft.: 53 urban single-family units **Existing Units/Square Feet:** Vacant land
Proposed Lot Coverage: NA **Existing Lot Coverage:** NA

ZONING HISTORY

The subject property has been zoned R-85 (Single-Family Residential) since the initial adoption of the *DeKalb County Zoning Ordinance* in 1956.

PROJECT ANALYSIS

The subject property comprises 12.11 acres on the south side of Erskine Road, the west side of Oakmont Drive, and the northeastern terminus of Oakmont Drive, approximately 430 feet west of Rays Road at 4549 Erskine Road and 1247 Oakmont Drive in Clarkston, Georgia. The site contains vacant land and is moderately flat off of Erskine Road. The site slopes moderately upward at the south end of the property near Oakmont Drive. The site currently has an abundance of mature trees and vegetation.

The applicant is proposing to allow 53 urban single-family detached townhomes at a density of 4.38 units per acre. The *Zoning Ordinance* allows a base density of up to four units per acre. To achieve a density of 4.38 units per acre as the applicant proposes, the *Zoning Ordinance* requires the provision of density bonuses. The applicant is proposing an eight-foot wide pedestrian trail to connect the new subdivision to the Stone Mountain Trail Greenway as a density bonus. Based on the submitted conceptual elevations, the proposed urban detached single-family homes will be two stories tall. The applicant indicates the building materials will consist of a combination of brick, hardi-plank, board and batten, and cementitious siding. The site plan also provides for a 10-foot wide sidewalk connection to Oakmont Drive along the south end of the property, providing adjacent and surrounding residents near Oakmont Drive a connection to the Stone Mountain Greenway Trail via the sidewalks/trails within the proposed urban single-family subdivision. A pocket park is also proposed within the center of the project.

The property has frontage along Erskine Road, a two-lane minor-arterial road with curb and gutter but no sidewalks. Sidewalks are proposed along both sides of the new public road, as well as along Erskine Road. The proposed homes will access a new public road which will be publicly accessible to Erskine Road. The Transportation Department has indicated that the applicant needs to verify intersection sight distance for existing vehicles and stopping sight distance for left vehicular turns into the development. However, at the time of this writing, no such information has been received by the Planning Department. Please see the Transportation Department comments attached to the report for additional requirements.

Surrounding uses include traditional suburban single-family homes located at least ten feet away from each other within R-85 zoned subdivisions, with 80 to 95-foot wide lots and 12,000 square foot min lot sizes at densities between 2.4 and 2.6 dwelling units per acre. RSM- zoned single-family homes are located in the general area approximately 0.2 (two tenths) of a mile to the west (Country Address Subdivision) and 0.3 (three tenths) of a mile to the east (Joshua Crossing Subdivision and others) with minimum lot sizes of approximately 4,356 square feet, minimum lot widths between 45 and 50 feet, and homes located at least ten feet apart from each other.

The proposed rezoning request is not consistent with the policies and strategies of the Suburban Character Area to protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns (Suburban Policy #1). The proposed urban single-family homes with buildings located close together (within five feet of each other) are not compatible with the traditional suburban single-family detached homes in the adjacent and surrounding R-85 zoned subdivisions which contain homes located at least ten feet away from each other. While RSM zoning is located in the general area (approximately two tenths of a mile to the west (Country Address Subdivision) and three tenths of a mile to the east (Joshua Crossing Subdivision and others), those RSM zoned subdivisions contain traditional suburban single-family homes at least ten feet away from each other. Permitting the proposed request at this location would allow the encroachment of urban "townhomes" in an area intended to be developed with traditional

suburban single-family detached homes.

Supplemental Requirements: There are no supplemental regulations in the *Zoning Ordinance* for urban, detached, single-family, townhomes .

Compliance with District Standards:

STANDARD	RSM REQUIREMENT	EXISTING/PROPOSED	COMPLIANCE
MAX DENSITY	4-8 units per acre	4.38 units per acre (Density bonus for tying into Stone Mountain Trail Greenway)	Yes
LOT WIDTH	25 feet per lot	25 ft	Yes
LOT AREA	1,350 s.f.	Information not provided on site plan.	Unknown
MAX. LOT COVERAGE	70%	Information not provided on site plan	Unknown
PERIMTER LOT COMPATIBILITY	Proposed Lots abutting existing subdivisions must provide lot widths and lot sizes that are no larger than 80% of the lots in the adjacent existing subdivisions; lot depths at least 20% feet deeper than adjacent residential lots; and/or at least a 20-foot wide transitional buffer.	There is a 20- foot wide transitional buffer along the perimeter of the project which separates the adjacent subdivisions from the proposed lots. Lot dimensions are unknown.	Undetermined
FRONT SETBACK	20 feet	20 feet	Yes
REAR SETBACK	20 ft.	20 ft	Yes
SIDE SETBACK	0 ft with at least 3 feet between buildings	0 ft (5 ft between buildings)	Yes

BUILDING MATERIALS	All building facades facing a public street shall consist of at least 80% brick, stone, glass, decorative concrete, fiber cement siding, or hard coat stucco, or combination thereof.	Applicant indicates compliance.	Yes
MAX. BLDG. HEIGHT	3 stories/45 feet	2 stories based on submitted conceptual elevations.	Yes
MIN UNIT SIZE	1,100 s.f. (Urban Single-Family Detached)	1,200s.f.	Yes
MIN OPEN SPACE	20%	29%	Yes
TRANSITIONAL BUFFER	20 ft along north, west, and south property lines	20-ft wide buffer	Yes
PARKING	Min. 126 spaces (2 spaces per dwelling unit) Max. 212 spaces (4 spaces per dwelling unit)	211 spaces (excludes 10 guest parking spaces)	Yes
LANDSCAPING	Each single-family lot on which new development shall occur shall be planted with three new trees.	Information not provided	Unknown; Non-compliance will necessitate variances.
SIDEWALKS AND STREETSCAPING	5-ft. sidewalk and 6-ft landscape strip along proposed public roads in subdivision, street trees 30 ft on center	Sidewalks are proposed along internal roads, however width is not shown. No landscape strip or street tree plantings are shown.	No. Non-compliance will necessitate variances.

STREET LIGHTS AND PEDESTRIAN LIGHTS	Street lights along the proposed new roads in subdivision shall be at 100 ft on center.	Information not provided	Non-compliance will necessitate a variance.
SIDEWALKS AND STREETSCAPING ALONG ERSKINE ROAD	6 ft wide sidewalk and 10 ft landscape strip, street trees 50 ft on center	8 foot wide pedestrian trail provided. No street trees or landscape strip shown.	Yes for sidewalk. Other information not provided. Non-compliance will necessitate variances.
DECATORIVE FENCES	Must provide decorative fence and buffer along Erskine Road as required by Sec. 5.4.7.B of the Zoning Ordinance	Recommended as a condition of approval; no details provided, however	Non-compliance will necessitate variances.

LAND USE AND ZONING ANALYSIS

Section 27-7.3.5 of the Zoning Ordinance, “Standards and factors governing review of proposed amendments to the official zoning map” states that the following standards and factors shall govern the review of all proposed amendments to the zoning maps.

A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan:

The proposed rezoning request is not consistent with the policies and strategies of the Suburban Character Area to protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns (Suburban Policy #1). The proposed urban detached townhomes located close together (within five feet of each other) on 25-foot wide, 1,350 square foot lots are not compatible with the traditional suburban detached homes in the adjacent and surrounding R-85 zoned subdivisions which contain homes at least ten feet from each other on minimum lot sizes of 12,000 square feet and minimum lot widths of 85 feet. Permitting the proposed request at this location would allow the encroachment of urban single-family homes in an area intended to be developed with traditional suburban single-family detached homes.

B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties:

The proposed urban detached townhomes located close together (within five feet of each other) on 25-foot wide, 1,350 square foot lots are not compatible with the traditional suburban detached homes in the adjacent and surrounding R-85 zoned subdivisions which contain homes at least ten feet from each other on minimum lot sizes of 12,000 square feet and minimum lot widths of 85 feet. Permitting the proposed request at this location would allow the encroachment of more urban style homes in an area intended to be developed with traditional suburban single-family detached homes.

C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:

It appears that the property may have a reasonable economic use as currently zoned R-85 which allows single-family detached residential development.

D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:

The proposed urban detached townhomes located close together (within five feet of each other) on 25-foot wide, 1,350 square foot lots are not compatible with the traditional suburban detached homes in the adjacent and surrounding R-85 zoned subdivisions which contain homes at least ten feet from each other on minimum lot sizes of 12,000 square feet and minimum lot widths of 85 feet. Permitting the proposed request at this location would allow the encroachment of urban homes in an area intended to be developed with traditional suburban single-family detached homes.

E. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal:

The subject property falls within a SUB (Suburban) character area which calls for protecting established residential neighborhoods (SUB Policy #1). While there is not a general consensus, it appears that many property owners in the surrounding area may be in favor of the request.

F. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources:

Based on the submitted information, no historic buildings, sites, districts, or archaeological resources are located on the subject property or in the surrounding area.

G. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

The Transportation Department has indicated that the applicant needs to verify intersection sight distance for Erskine Road for existing vehicles and stopping sight distance for when a car is waiting to turn left into the development. The applicant will need to obtain a sewer capacity letter from the Department of Watershed Management to verify if sewer capacity is available. Based on the information submitted from the Board of Education, it does not appear that the proposed rezoning request will result in a burdensome use of school capacity.

H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources:

The proposed development is not expected to have unusual impacts on the natural environment.

Staff Recommendation: DENIAL

At the November 19, 2020 Board of Commissioners meeting, the applicant's plans proposed urban single-family homes with buildings located (within three feet of each other on small 25-foot wide lots which were not compatible with the traditional, suburban, single-family, detached homes in the surrounding R-85 zoned subdivisions which contain homes located at least ten feet away from each other. The Planning Department recommended "Full Cycle Deferral" to allow sufficient time for the applicant to revise the site plan and rezoning application to consider a more traditional single-family detached site design (with buildings at least ten feet away from each other) that would be more compatible with the surrounding R-85 single-family residential development pattern.

Since the November 19th Board of Commissioner meeting, the applicant has submitted revised site plans to decrease the number of units from 63 (5.2 units per acre) to 53 (4.38 units per acre) urban detached townhomes and increased the amount of open space from 25% to 29% (only 20% required). However, the proposed urban detached "townhomes" are still located close together (within five feet of each other); on 25-foot wide, 1,350 square foot lots; and are not compatible with the traditional suburban detached homes in the adjacent and surrounding R-85 zoned subdivisions. Those homes are at least ten feet from each other; on lots with minimum sizes of at least 12,000 square feet; and minimum lot widths of 85 feet (Sec. 7.3.5.B). It does not appear that the proposed rezoning request is consistent with the policies and strategies of the Suburban Character Area to protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns (Suburban Policy #1). While RSM zoning is located in the general area (approximately two tenths of a mile to the west (Country Address Subdivision) and three tenths of a mile to the east (Joshua Crossing Subdivision and others), those RSM zoned subdivisions contain traditional suburban single-family homes at least ten feet away from each other. Permitting the proposed request at this location would allow the encroachment of urban, single-family homes in an area intended to be developed with traditional, suburban, single-family, detached homes.

The Transportation Department has indicated that the applicant needs to verify intersection sight distance for Erskine Road for existing vehicles and stopping sight distance for cars waiting to turn left into the development (see attached Transportation comments). However, no such information has yet been submitted to the Planning Department. Therefore, it cannot be determined if the proposed request will result in a burdensome use of existing streets and transportation facilities. (Sec. 7.3.5.G) Upon consideration of the above-mentioned concerns, it is the recommendation of the Planning and Sustainability Department that the rezoning application be "denied".

Notwithstanding Staff's recommendation, since the original plans were submitted it appears that there may be more significant community support for the project due to the extraordinary amount of open space (29% provided and only 20% required) and tree preservation being provided on the revised plans between the proposed lots and the adjacent subdivisions. The applicant has held numerous discussions with community stakeholders. Should the rezoning request and revised plans be approved, Staff offers the following recommended conditions for consideration:

1. Verify intersection sight distance for Erskine Road for existing vehicles and stopping sight distance for cars waiting to turn left into the project and obtain County Transportation Department approval prior to the issuance of any land disturbance permits.

2. Limit the maximum number of urban detached townhomes to 53.
3. General compliance with the location of proposed open space on plans dated 12/14/2020 shall be required along with 29% minimum amount of open space.
4. Existing trees within the 20-foot transitional buffer along the perimeter of the project shall be preserved and supplemented with new trees to form an effective visual screen, as approved by the County Arborist, prior to the issuance of any certificates of occupancy. The buffer along the western side of the property abutting the proposed stormwater pond will be a thirty (30) foot vegetated buffer with a fifteen (15) foot landscape strip.
5. A six-foot high decorative wooden fence shall be provided which utilizes pressure treated lumber, with the finished side facing Erskine Road.
6. Installation of privacy fencing shall be provided at the rear of the proposed lots.
7. Adequate exterior lighting will be provided within the development and at the entrance of the community as required by Article 5 of the *Zoning Ordinance*.
8. No vehicular access allowed from Oakmont Drive. The pedestrian entryway at Oakmont Drive and the vehicular entrance at Erskine Road shall be landscaped.
9. Maximum building height of two stories.
10. Provide compliance with Section 14- 40 and Section 14-42 of the DeKalb County Code regarding storm water management and water quality control.
11. The approval of this rezoning application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Zoning Board of Appeals or other entity whose decision should be based on the merits of the application under review by such entity.
12. Building materials shall be consistent with the requirements of Article 5 of the Zoning Ordinance. No metal or vinyl allowed.
13. The subdivision shall include distinctly different front façade designs within each phase of the development. “Distinctly different” shall mean that each front façade must differ from adjacent buildings’ front façades in at least four (4) of the following six (6) ways: a. The use of different primary exterior materials; b. Variation in the width or height of the front façade by four (4) feet or more; c. Variation of the type, placement or size of windows and doors on the front façades; d. Variations in rooflines, including the use of dormers and changes in the orientation of rooflines; e. Variation in the location and proportion of front porches; and f. Variation in the location or proportion of garages and garage doors. No single-family detached residence shall be of the same front façade design as any other single-family detached residence along the same block face within eight (8) lots of the subject residence. Mirror images of the same configuration are not permitted on the same block face. No single front façade design may be used for more than twenty-five (25) percent of the total units of any single phase of a conventional single-family detached residence subdivision.
14. Units 1 – 15 and 16 -21 which are located closest to the Stone Mountain Trail will be rear-entry units as shown on Site Plan dated 12/14/20 as prepared by Planners and Engineers Collaborative.

15. The developer shall create a Homeowners Association which shall be responsible for maintaining the open space and common areas.
16. Prior to approval of the Sketch Plat, the two parcels shall be consolidated into one parcel, and the two existing rights-of-way (one in the center of the project and the other on the eastern property line) must be formally abandoned.
17. Blasting shall be permitted only with the written approval of the County, under the requirements of Section 14-324.C of the *DeKalb County Code of Ordinances*.

Attachments:

1. Public Works Department Comments
 - a. Land Development Division
 - b. Traffic Engineering Division
2. Watershed Management Department Comments
3. Board of Health Comments
4. Board of Education Comments
5. Application
6. Site Plan
7. Zoning Map
8. Aerial Photograph
9. Photographs

November 25, 2020

VIA EMAIL

John Reid, Senior Planner
DeKalb County Planning & Sustainability Dept
330 W. Ponce de Leon Avenue
Decatur, GA 30030

Re: Lennar Z-20-1244238

Dear John,

Attached please find the revised site plan for the above referenced rezoning application. Based upon the attached, the Application is hereby amending their application to reduce the total number of units requested from 63 to 53 urban detached single-family units. I will have 4 full size copies of the attached sent to you via for delivery by December 1, 2020.

Sincerely,



Michèle L. Battle

24 HOUR CONTACT:
JEFF ANTHONY
678-414-5186



SITE DATA:	
TOTAL SITE AREA	12.11 ACRES
AREA OF RW TO ABANDON	0.517 ACRES
ORIGINAL SITE AREA	11.593 ACRES
ZONING	
EXISTING ZONING	R-85
PROPOSED ZONING	RSM - (URBAN DETACHED HOME)
ZONING JURISDICTION	DEKALB COUNTY, GEORGIA
SETBACK REQUIREMENTS	
FRONT SETBACK	20 FEET (Sub-Character Area)
SIDE SETBACK (INTERIOR)	0 FEET (MIN. 3' BLDG. SEPARATION)
SIDE SETBACK (PUBLIC STREET CORNER)	20 FEET
REAR SETBACK	20 FEET (RESIDENTIAL)
MIN. LOT WIDTH	25 FEET
DEVELOPMENT STANDARDS	
SINGLE FAMILY DETACHED LOTS	53 UNITS
TOTAL SITE DENSITY PROVIDED	4.38 UPA (DENSITY BONUS = 4.8 ALLOWED)
MAX. SITE DENSITY (RSM)	4 UPA (BASE) - 8 UPA (DENSITY BONUS)
MIN. BLDG. HEATED SF	1,200 SF
MAX. BLDG. HEIGHT (RESIDENTIAL)	3 STORIES OR 45 FEET
OPEN SPACE CALCULATIONS	
MIN. OPEN SPACE REQUIRED	2.42 ACRES
(20% OF TOTAL SITE AREA)	(105,415 SF)
OPEN SPACE PROVIDED	3.53 ACRES (Includes Buffers/Ponds)
TOTAL SQUARE FOOTAGE	(153,766 SF / 29.1 % OF TOTAL SITE AREA)
PARKING REQUIREMENTS	
MIN. RESIDENTIAL PARKING SPACES REQ.	106 SPACES (2 SP/ DWELLING UNIT)
MAX. RESIDENTIAL PARKING SPACES REQ.	212 SPACES (4 SP/ DWELLING UNIT)
GUEST PARKING SPACES PROVIDED	9 SPACES
RESIDENTIAL PARKING PROVIDED	212 SPACES (4.0 SP/ DWELLING UNIT)
TOTAL PARKING PROVIDED	221 SPACES

DENSITY BONUS NOTES:
1. ADDITIONAL DENSITY PROVIDED BY PUBLIC SIDEWALK CONNECTION TO STONE MOUNTAIN TRAIL, NEW 8' MULTIPURPOSE PATH PROVIDED = 1,480 LINEAR FEET OR 0.28 MILES. (0.8 CREDITS)
TOTAL DENSITY BONUS CREDITS = 0.8 DENSITY CREDITS

REVISIONS:

NO.	DATE	BY	DESCRIPTION
*1	09/15/20	KW	Density/Open Space Trail size
*2	10/8/20	KW	Added Green by Pond

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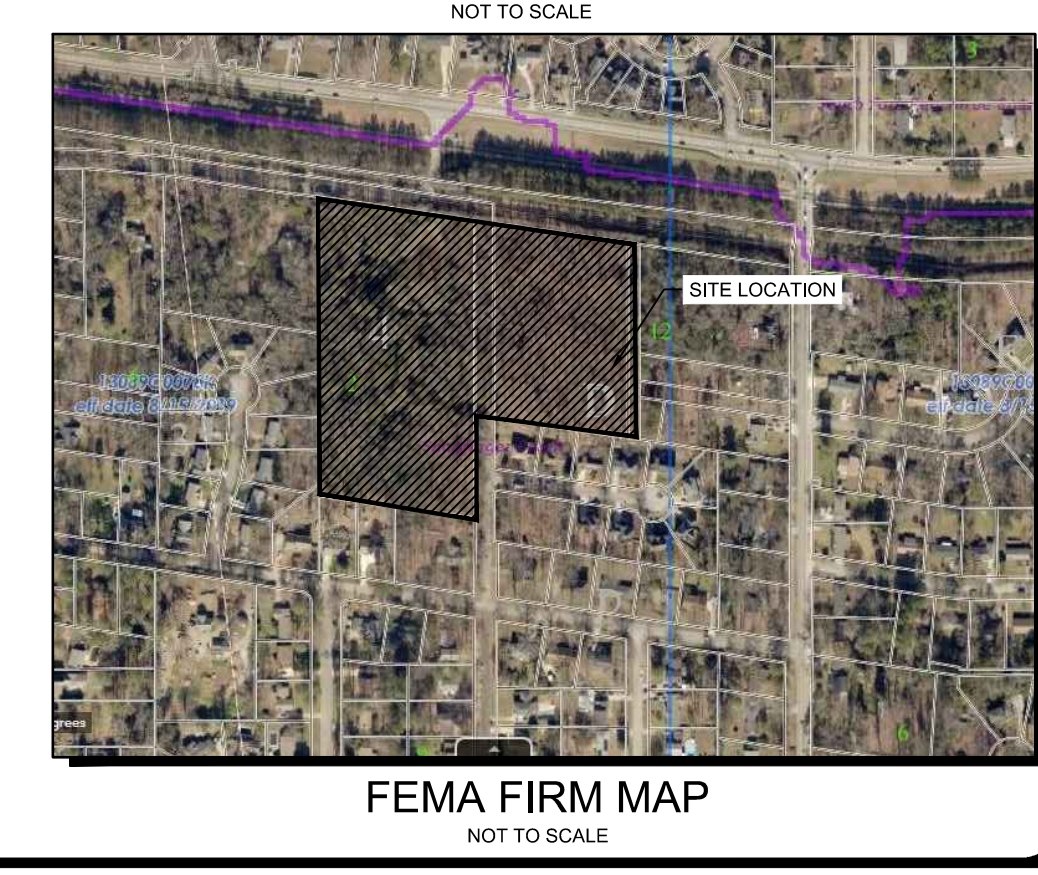
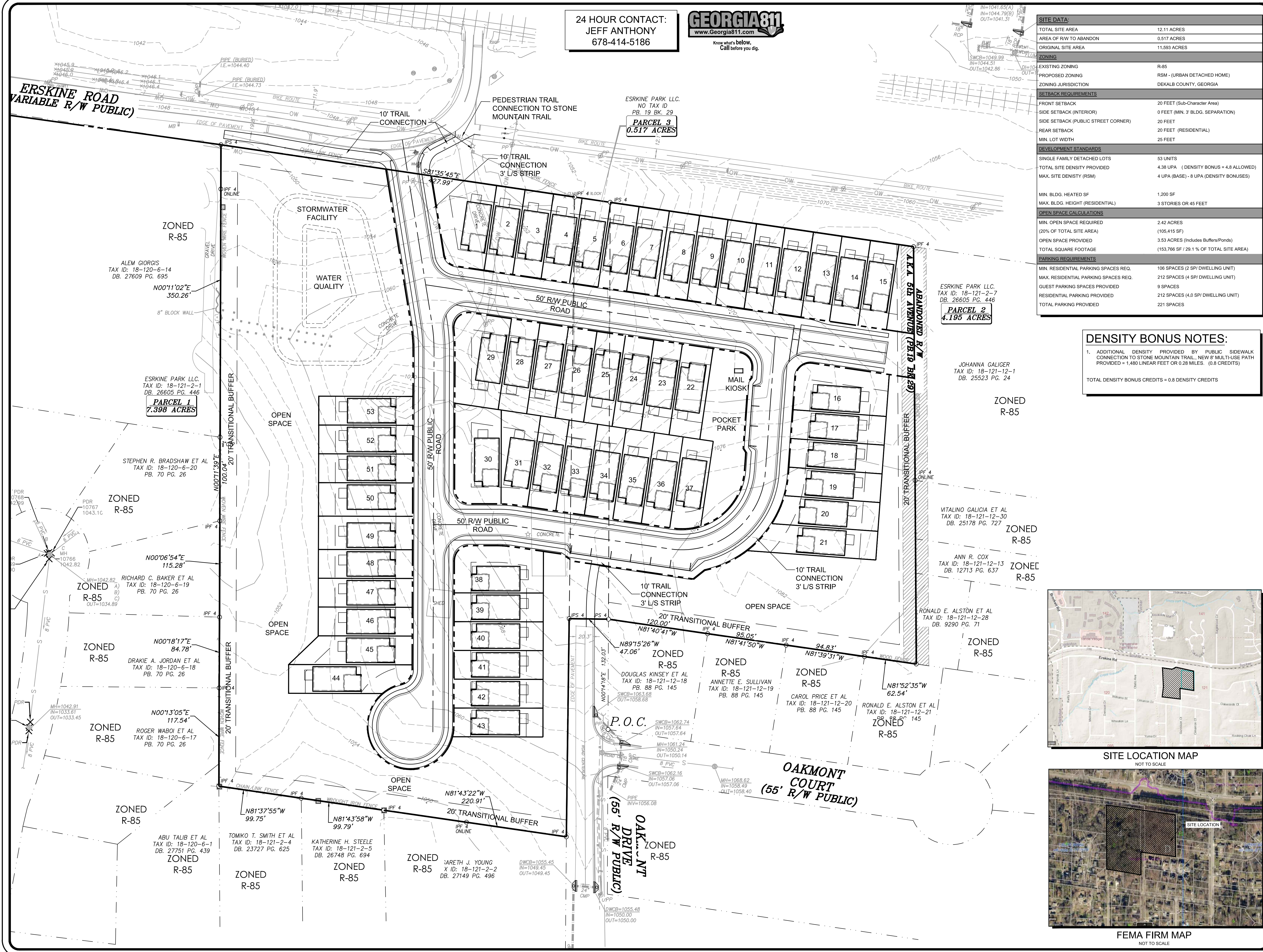
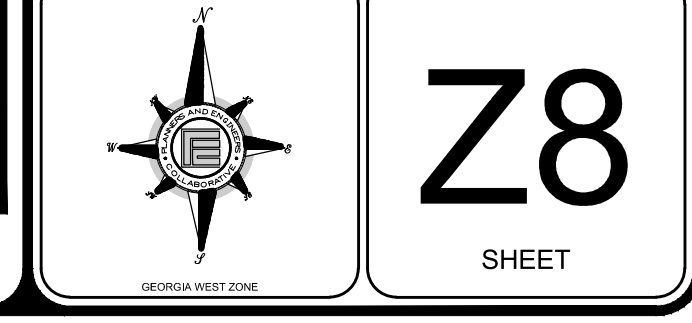
ZONING MASTER PLAN

SCALE: 1" = 50'
DATE: JULY 20, 2020
PROJECT: 20121.00

THIS SEAL IS ONLY VALID IF COUNTER SIGNED AND DATED WITH AN ORIGINAL SIGNATURE.



GSWCC LEVEL II DESIGN PROFESSIONAL CERTIFICATION # 000059389 EXP. 10/28/2021



OAKMONT DRIVE at ERKSINE ROAD
A MASTER PLANNED RESIDENTIAL DEVELOPMENT
FOR
LENNAR GEORGIA
1000 HOLCOMB WOODS PKWY
BLDG. 4, SUITE 450
ROSWELL, GEORGIA 30076
PHONE: 678-414-5186
"WE PROVIDE SOLUTIONS"
PLANNERS AND ENGINEERS COLLABORATIVE
SITE PLANNING | LANDSCAPE ARCHITECTURE | CIVIL ENGINEERING | LAND SURVEYING
350 RESEARCH COURT | PEACHTREE CORNERS, GEORGIA 30092 | (770) 451-2741 | FAX (770) 451-9915

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LAND LOT 121
18th DISTRICT
DEKALB COUNTY
GEORGIA

REVISIONS:

NO.	DATE	BY	DESCRIPTION
*1	09/15/20	KW	Density/Open Space Trail size
*2	10/8/20	KW	Added Green by Pond
*3	11/10/20	KW	Reduce Density
*4	12/4/20	KW	Added More Green
*5	12/14/20	KW	Added Rear Load Units

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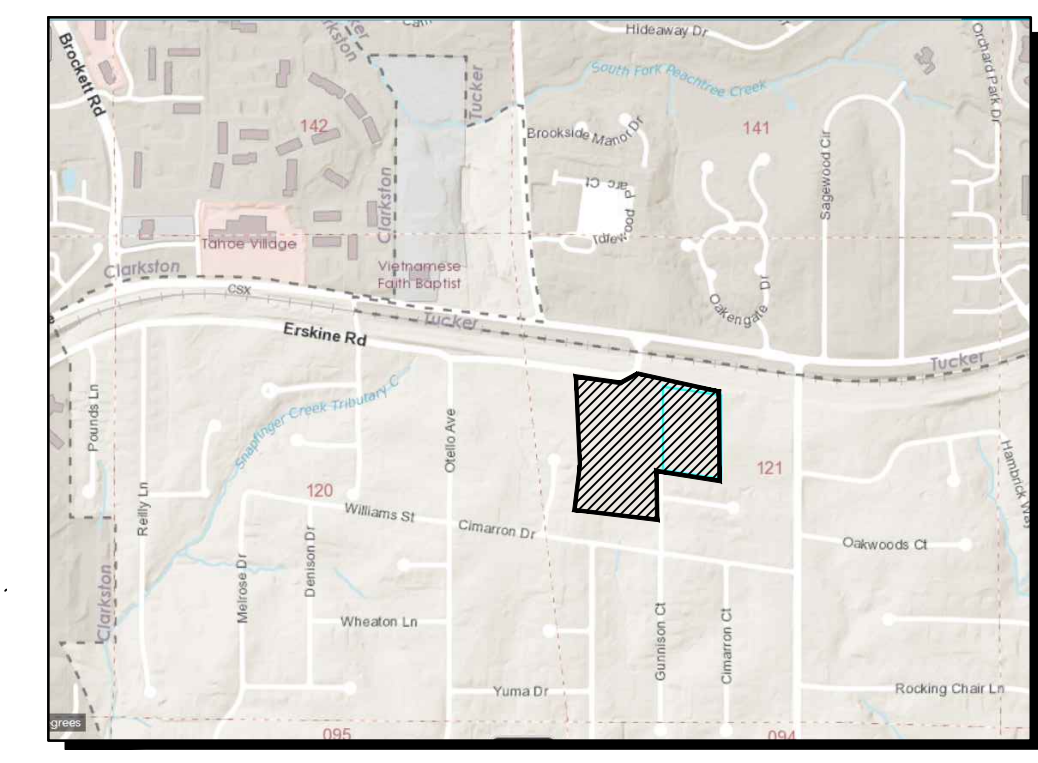
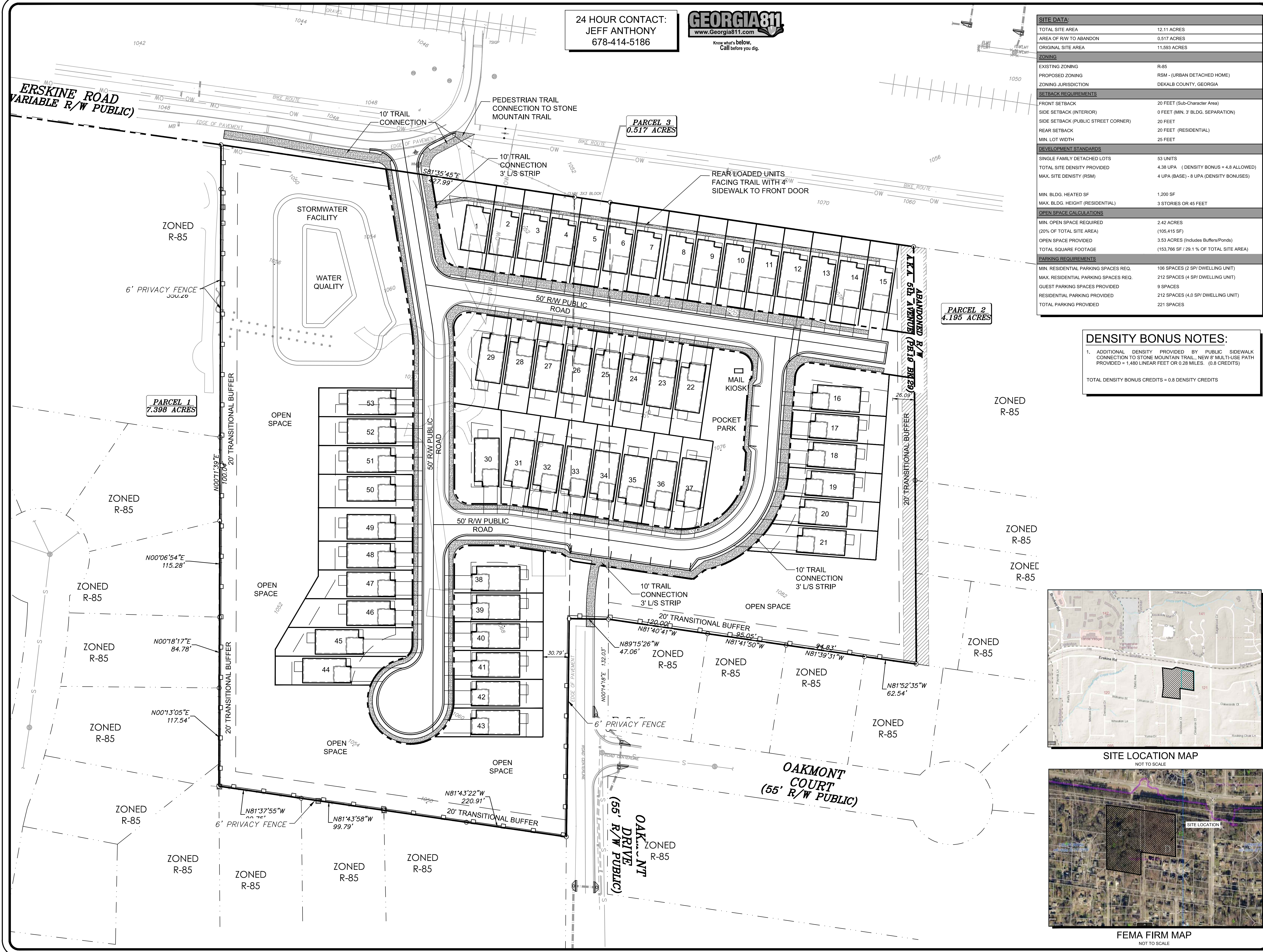
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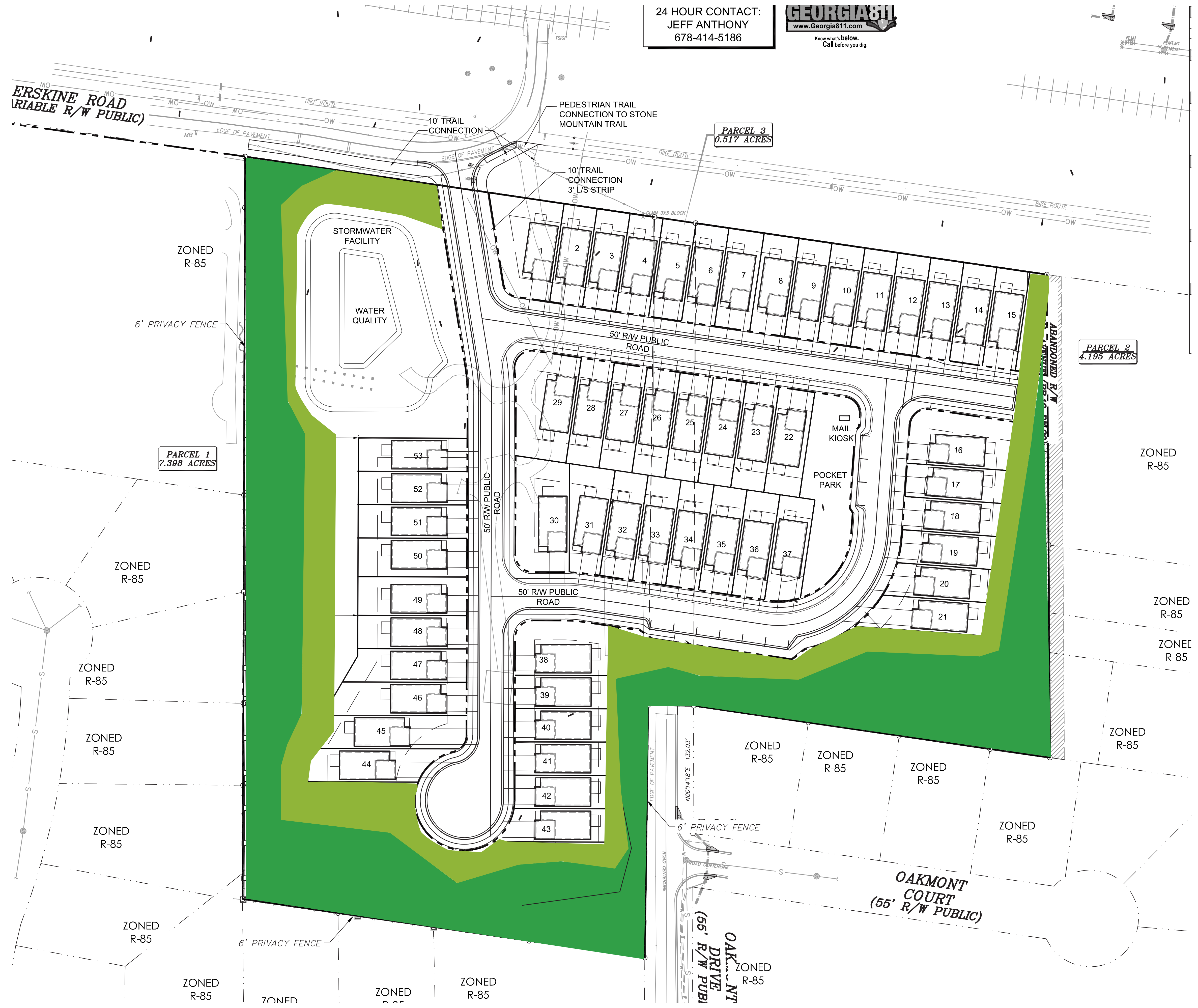
Z10
SHEET



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24 HOUR CONTACT:
JEFF ANTHONY
678-414-5186



6' WOODEN PRIVACY FENCE

- RECOMPENSED TREES PLANTED AREA
- EXISTING PRESERVED TREE AREA

TRANSPORTATION


Zoning Comments 10/19/2020

N1. No Comment

N2. No Comment

N3. Review, coordination and approval of GDOT MMIP Project Manager required prior to permitting at TMatthews@dot.ga.gov. Redan Road is classified at a minor arterial. Please note infrastructure requirements in Chapter 5 of the Zoning Code (5.4.3, pages 5-14 & 5-15) and Chapter 14, Section 190 of the Land Development Code. Please note that Elder Lane is a private road. Access easements will be required prior to permitting. With 230 proposed units, the land development code (Section 14-200 (5)) requires 3 access points. Please note that this parcel is within the Indian Creek Overlay District.

N4 & N5. GDOT review, coordination and approval required prior to permitting at Juhatch@dot.ga.gov. Memorial Drive is classified as a major arterial. Collingwood Drive is classified as a local residential road. Please note infrastructure requirements in Chapter 5 of the Zoning Code (5.4.3, pages 5-14 & 5-15) and Chapter 14, Section 190 of the Land Development Code.

 N6. Site designer to verify intersection sight distance for existing vehicles and stopping sight distance for when a car is waiting to turn left into the development. (Does the through vehicle have enough sight distance to stop in time for a car waiting to turn left into the development?) Erskine Road is classified as a collector road. Oakmont Drive is classified as a local residential road. Please note infrastructure requirements in Chapter 5 of the Zoning Code (5.4.3, pages 5-14 & 5-15) and Chapter 14, Section 190 of the Land Development Code. Add a 10 foot sidewalk along the frontage of Erskine Road to connect to the Atlanta- Stone Mountain Multiuse Path, in lieu of a bike lane. Has any consideration been given to add a vehicular connection to Oakmont Drive? Infrastructure upgrades are also required on the frontage of Oakmont Drive. Owner will have to proceed with a right of way abandonment or swap to make proposed plan work.

N7. Ludovie Road is classified as a local residential road. This property falls within the Northlake Overlay District Tier 2. Please note infrastructure requirements in Chapter 5 of the Zoning Code (5.4.3, pages 5-14 & 5-15) and Chapter 14, Section 190 of the Land Development Code.

N8. Wesley Chapel Road is classified as a minor arterial. Please note infrastructure requirements in Chapter 5 of the Zoning Code (5.4.3, pages 5-14 & 5-15) and Chapter 14, Section 190 of the Land Development Code. Replace existing sidewalk along the frontages.



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER mmalexander@dekalbcountyga.gov OR JOHN REID jreid@DEKALBCOUNTYGA.GOV

COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER

Case No.: Z-20-1244238

Parcel I.D. #: 18-121-02-001, 18-121-12-007

Address: 4549 Erskine Road and 1247 Oakmont Drive
Clarkston, Georgia

WATER:

Size of existing water main: 6" DI, 8" DI, & 48" DI Water Main (adequate inadequate)

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A
MUST UTILIZE 8" DI WATERLINE. MJO

SEWER:

Outfall Servicing Project: Indian Creek Basin

Is sewer adjacent to property: Yes () No () If no, distance to nearest line: _____

Water Treatment Facility: Snappinger WTF (adequate (inadequate

Sewage Capacity; * (MGPD)

Current Flow: 21.77 (MGPD)

COMMENTS:

* Please note that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) must be completed and submitted for review. This can be a lengthy process and should be addressed early in the process.

THIS AREA IS CAPACITY RESTRICTED.

SEWER ACTION PLAN WILL BE REQUIRED. MJO

Signature: 



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

The following areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

DEVELOPMENT ANALYSIS:

- **Transportation/Access/Row**

Consult the Georgia DOT as well as the DeKalb County Transportation Department prior to land development permit. Verify widths from the centerline of the roadways to the property line for possible right-of-way dedication. Improvements within the right-of-way may be required as a condition for land development application review approval. Safe vehicular circulation is required. Paved off-street parking is required.

- **Storm Water Management**

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control, to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site. Recommend Low Impact Development features/ Green Infrastructure be included in the proposed site design to protect as much as practicable the statewaters and special flood hazard areas. It is recommended that the discharge from the stormwater management facility from the development be connected to an existing storm sewer structure to prevent properties downstream from experiencing an increased volume of runoff after construction and also ensure that the downstream conveyance structure(s) is adequately sized to accommodate the additional runoff volume

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area was not indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development permit application. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations.

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 as well as Chapter 27 Article 5 and are subject to approval from the County Arborist

- **Tributary Buffer**

State water buffer was not reflected in the G.I.S. records for the site. Typical state waters buffer have a 75' undisturbed stream buffer and land development within the undisturbed creek buffer is prohibited without a variance per DeKalb County Code of Ordinances 14-44.1.

- **Fire Safety**

Plans for land development permit must comply with Chapter 12 DeKalb County Code for fire protection and prevention.

**Board of Health**

12/14/2020

To: Mr. John Reid, Senior Planner
From: Ryan Cira, Environmental Health Manager
Cc: Alan Gaines, Technical Services Manager
Re: Rezone Application Review

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for:

- multiple dwellings
- food service establishments
- hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed Food Service Operations, Tourist Accommodations, Body Art Studios, Swimming Pools and Water Parks prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation. Recommendation: Provide trash can with liner at each bus stop with bench and monitor for proper removal of waste.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.



Board of Health

- N.1 Z-21-1244232 2020-1531/15-077-01-002
1795 Constitution Road, Atlanta, GA 30316
- Please review general comments.
- N.2 SLUP-21-1244383 202-1532/18-265-05-002, 18-265-05-003, 18-266-01-002, 18-266-01-003, 18-266-01-004, 18-266-01-005, 18-266-01-007, 18-266-02-002, 18-266-02-003, 18-266-02-0052930
2930 Flowers Road South, Chamblee, GA 30341
- Please review general comments.
- Septic system installed on property 3000 Flowers Road on 09/24/1970.
- N.3 CZ-21-1244384 2020-1534/16-195-01-002,16-195-011-004,16-195-01-006,16-195-01-007
1688 Rock Chapel Road; Lithonia, GA 30058
- Please review general comments.
- Septic indicated on several properties surrounding this location.
- N.4 SLUP-21-1244387 2020-1535/15-164-02-001
4085 Glenwood Road, Decatur, GA 30032
- Please review general comments.
- Septic indicated on several properties; installed between 10-07-59 – July 2001.
- N.5 SLUP-21-1244388 2020-1536/15-061-03-012
4845 Flat Shoals Parkway, Decatur, GA 30034
- Please review general comments.
- Septic indicated on several properties in surrounding area.
- N.6 SLUP-21-1244389 2020-1537/15-061-03-012
4845 Flat Shoals Parkway, Decatur, GA 30034
- Please review general comments.
- Septic system indicated on several properties in surrounding area.
- N.7 Z-21-1244393 2020-1538/15-201-05-002
1548 Line Street, Decatur, GA 30032
- Please review general comments.
- Septic indicated on surrounding property: 1799 Line Street on April 22, 1996.



Board of Health

- N.8 SLUP-21-1244393 2020-1539/18-233-07-002
2345 Shallowford Road, Atlanta, GA 30345
 - Please review general comments.
 - Septic system indicated on surrounding properties.

- N.9 Z-21-1244398 2020-1541/15-162-04-007
5021 Covington Highway, Decatur, GA 30035
 - Please review general comments.
 - Septic system installed 05/24/1967.

- N.10 SLUP-21-1244417 2020-1542/18-112-02-003
3033 North Druid Hills Road, Atlanta, GA 30329
 - Please review general comments.
 - Septic system installed on surrounding property 3035 North Druid Hills Road in 04/14/1980.

- N.11 TA-21-1244279 2020-1543
County-Wide (ALL DISTRICTS)

- N.12 TA-21-1244414 2020-1546
County-Wide (ALL DISTRICTS)

- N.13 V-20-1244428 15-228-01-003, 15-228-01-005, 15-228-01-093, 15-288-01-094
1014 Elder Lane, Stone Mountain, GA 30083

**DeKalb County School District
Development Review Comments**

Analysis Date: 10/16/2020

Submitted to: DeKalb County Case #: Z-20-1244238
Parcel #: 18-121-02-001, 18-121-12-007

Name of Development: Erskine Road Townhouses
Location: 4549 Erskine Road

Description: New development with 63 detached townhomes

Impact of Development: When fully constructed, this development would be expected to generate 13 students: 2 at Jolly ES, 1 at Freedom MS, 0 at Clarkston HS, 8 at other DCSD schools, and 2 at private schools. Enrollment at Jolly ES and Clarkston HS is already about capacity, but the impact of this development is expected to be minimal.

Current Condition of Schools	Jolly ES	Freedom MS	Clarkston HS	Other DCSD Schools	Private Schools	Total
Capacity	675	1,258	1,196			
Portables	3	0	15			
Enrollment (Fcast. Oct. 2020)	754	1,163	1,493			
Seats Available	-79	95	-297			
Utilization (%)	111.7%	92.4%	124.8%			
New students from development	2	1	0	8	2	13

New Enrollment	756	1,164	1,493
New Seats Available	-81	94	-297
New Utilization	112.0%	92.5%	124.8%

Yield Rates	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	0.0339	0.0847	0.0169	0.1356
Middle	0.0169	0.0339	0.0169	0.0678
High	0.0000	0.0169	0.0000	0.0169
Total	0.0508	0.1356	0.0339	0.2203

Student Calculations

Proposed Units	63
Unit Type	TH
Cluster	Clarkston HS

Units x Yield	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	2.14	5.34	1.07	8.55
Middle	1.07	2.14	1.07	4.28
High	0.00	1.07	0.00	1.07
Total	3.21	8.55	2.14	13.90

Anticipated Students	Attend Home School	Attend other DCSD School	Private School	Total
Jolly ES	2	5	1	8
Freedom MS	1	2	1	4
Clarkston HS	0	1	0	1
Total	3	8	2	13



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

N-6

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE ALEXANDER mmalexander@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: 2-20-1244238 Parcel I.D. #: 18-121-02-001

Address: 4549
Erskine Rd
Clarkston, GA

Adjacent Roadway (s):

(classification) (classification)

Capacity (TPD) _____	Capacity (TPD) _____
Latest Count (TPD) _____	Latest Count (TPD) _____
Hourly Capacity (VPH) _____	Hourly Capacity (VPH) _____
Peak Hour Volume (VPH) _____	Peak Hour Volume (VPH) _____
Existing number of traffic lanes _____	Existing number of traffic lanes _____
Existing right of way width _____	Existing right of way width _____
Proposed number of traffic lanes _____	Proposed number of traffic lanes _____
Proposed right of way width _____	Proposed right of way width _____

Please provide additional information relating to the following statement.

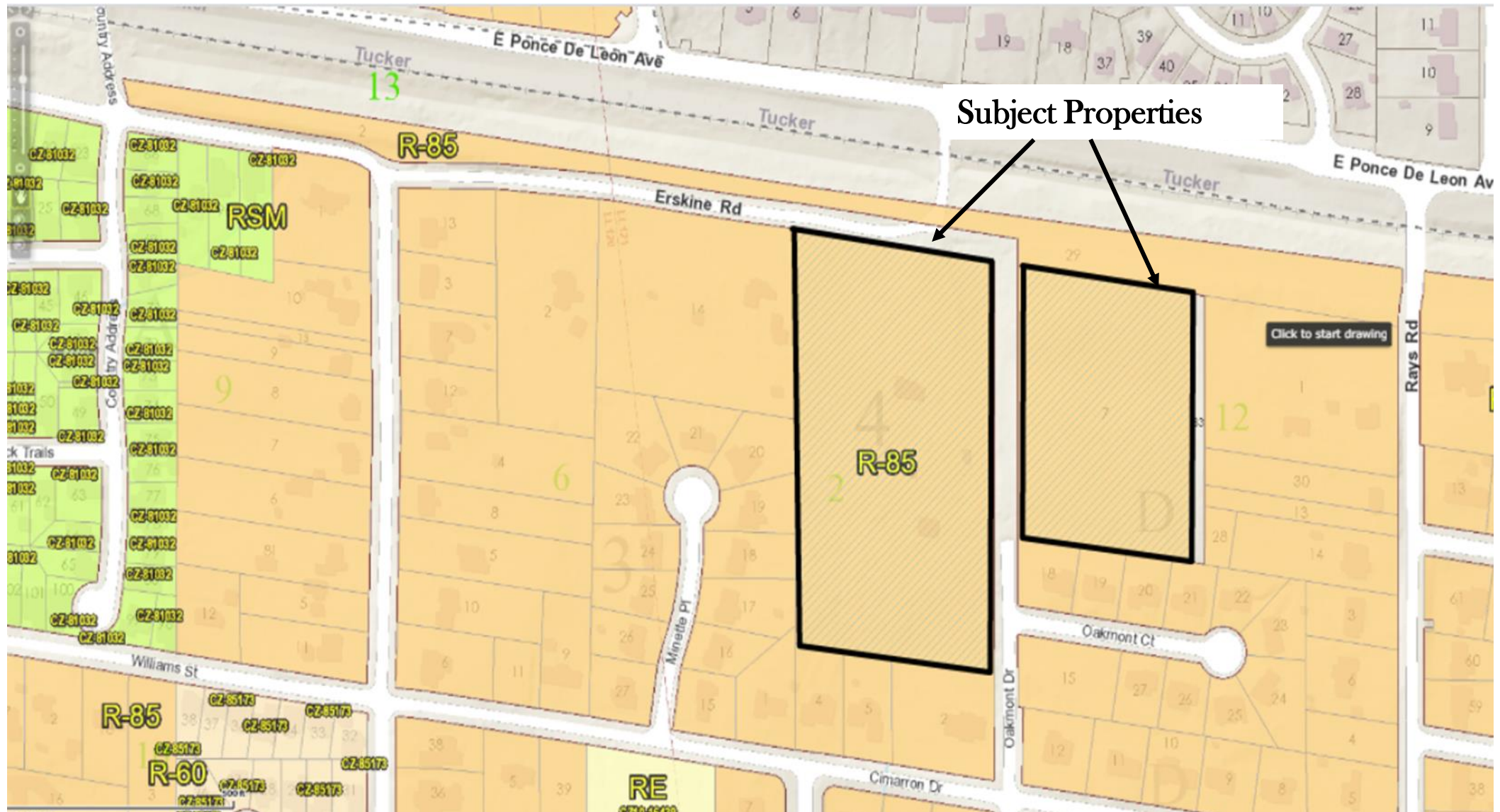
According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7TH Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1,000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ square foot place of worship building would generate _____ vehicle trip ends, with approximately _____ peak hour vehicle trip ends.

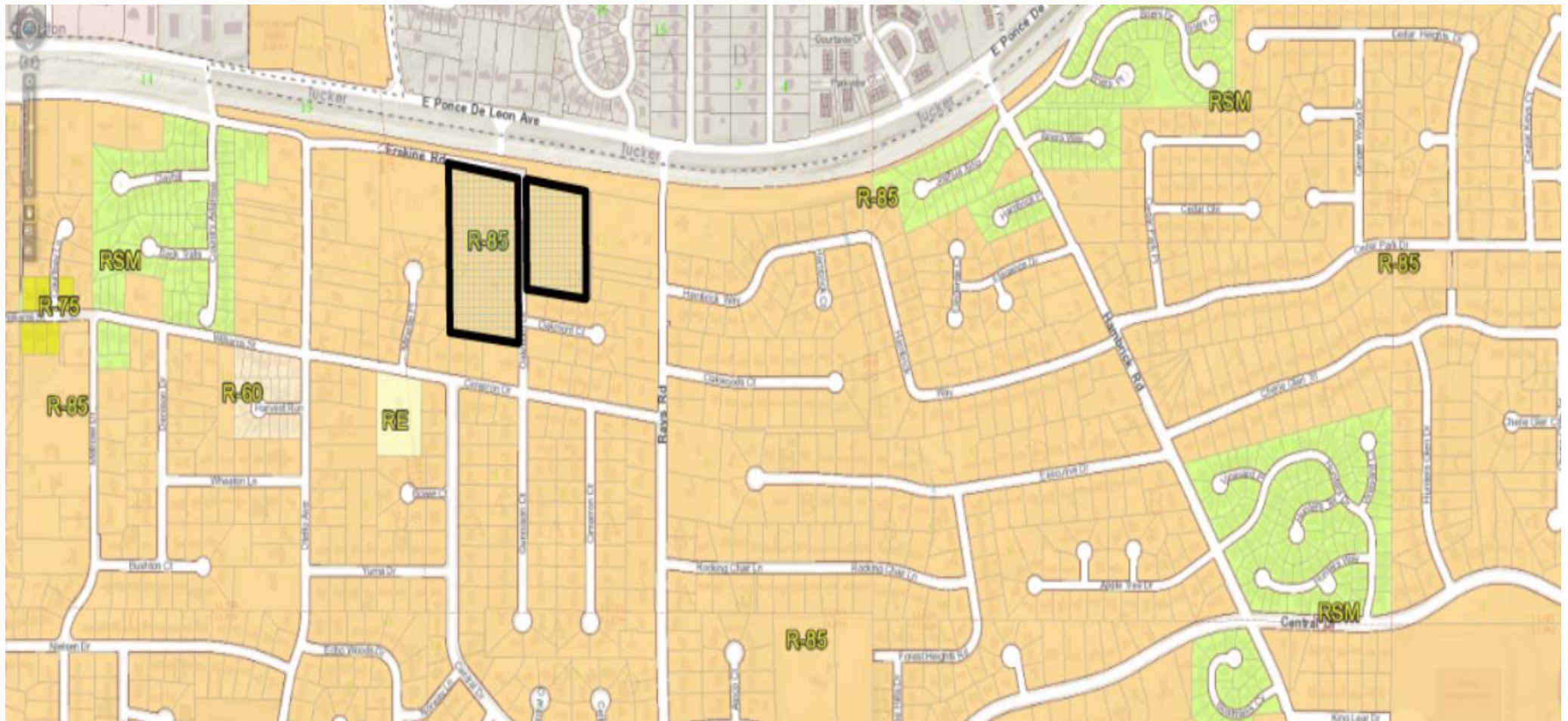
Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

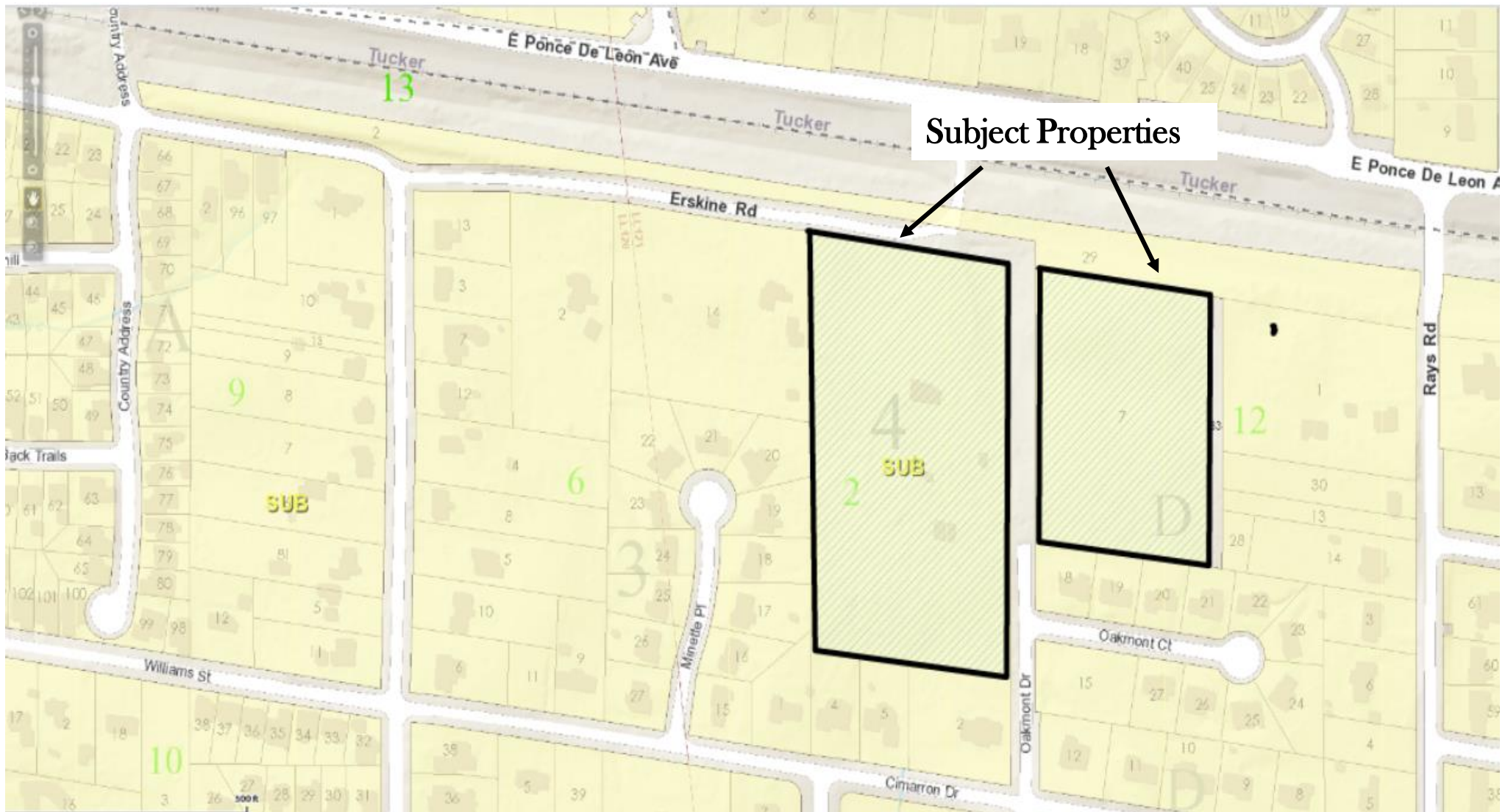
COMMENTS:

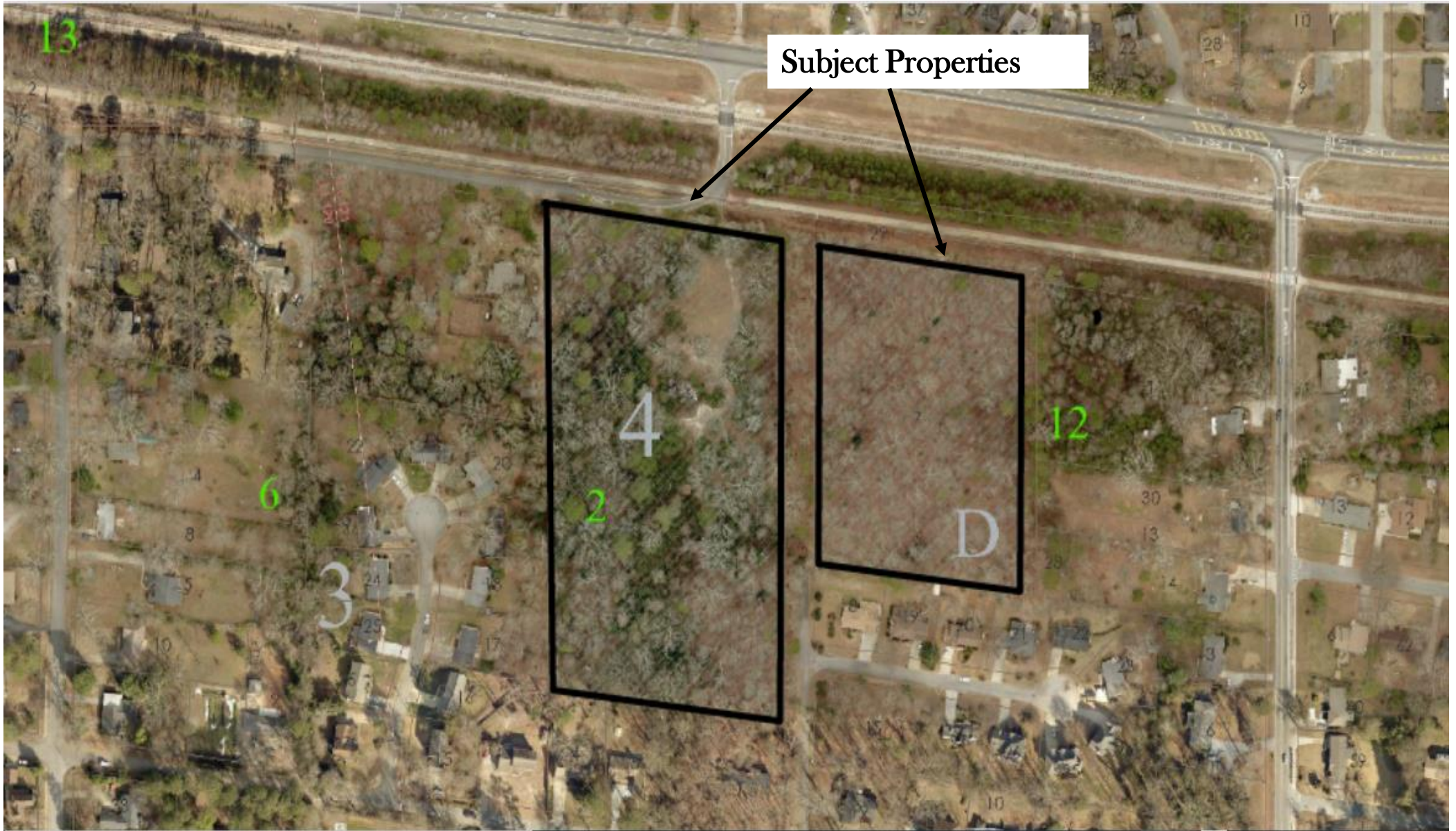
Field and plans reviewed. No problem found that would disrupt traffic flow

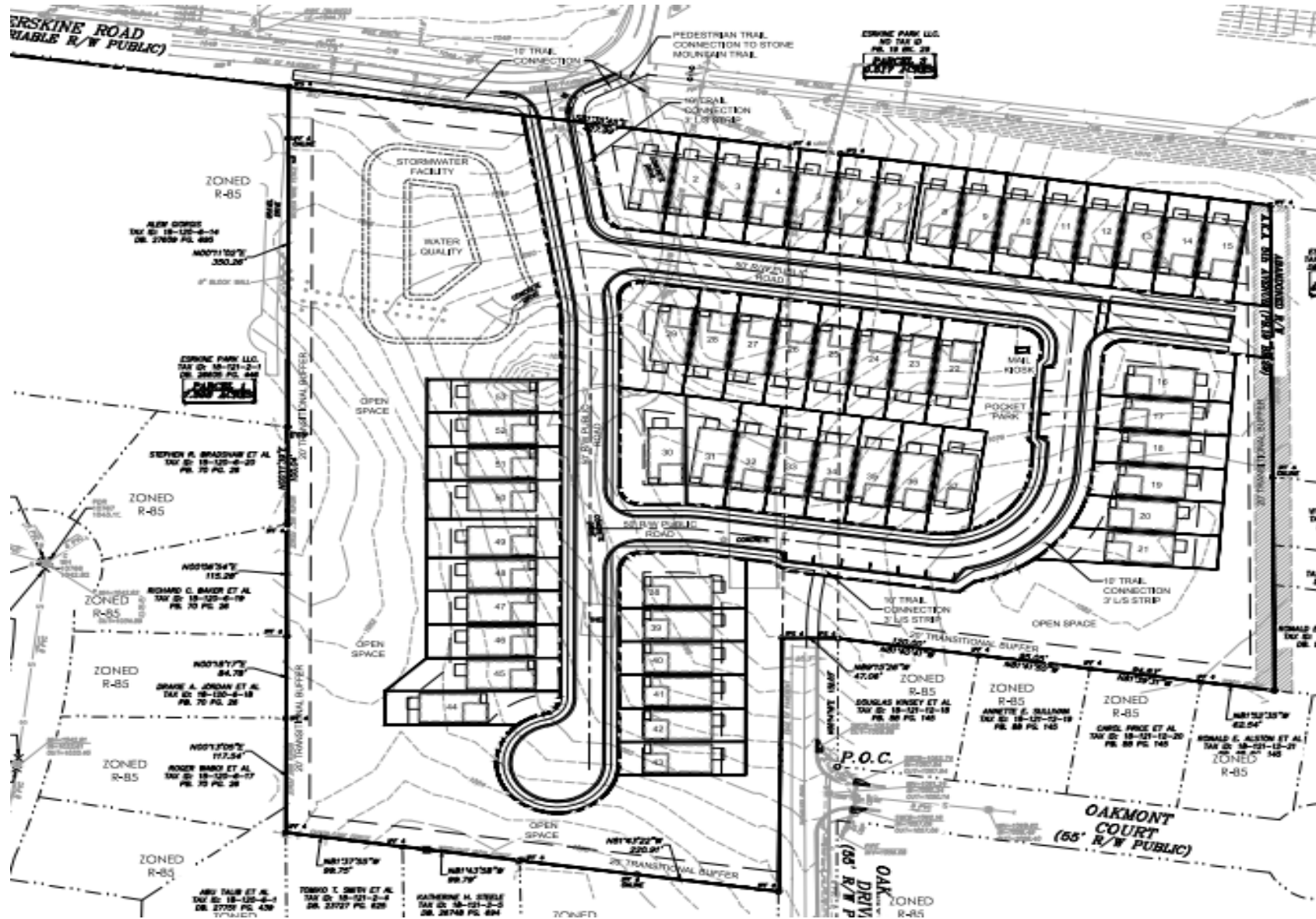
Signature: [Signature] David M. Ross













BOSTON B

COLUMBIA B

BOSTON C

COLUMBIA C

ATLANTA C

APPLICATION TO AMEND OFFICIAL ZONING MAP OF DEKALB COUNTY, GEORGIA

Z/CZ No. _____ Filing Fee: _____

Date Received: _____ Application No.: _____

Applicant: Lennar Corporation c/o Battle Law, P.C. E-Mail: mlb@battlelawpc.com

Applicant Mailing Address: One West Court Square, Ste. 750 Decatur, GA 30030

Applicant Phone: 404.601.7616 Fax: 404.745.0045

Owner(s): Erskine Park, LLC E-Mail: _____ (If more than one owner, attach as Exhibit 'A')

Owner's Mailing Address: P.O. Box 2201, Silverthorne, Summit, CO 80498

Owner(s) Phone: _____ Fax: _____

Address/Location of Subject Property: 4549 Erskine Road & 1247 Oakmont Drive, Clarkston, GA 30021

District(s): 18 Land Lot(s): 121 Block: 02 & 12 Parcel(s): 001 & 007

Acreage: 12.11 Commission District(s): 4 & 6

Present Zoning Category: R-85 Proposed Zoning Category: RSM

Present Land Use Category: SUB

PLEASE READ THE FOLLOWING BEFORE SIGNING

This form must be completed in its entirety before the Planning Department accepts it. It must include the attachments and filing fees identified on the attachments. An application, which lacks any of the required attachments, shall be determined as incomplete and shall not be accepted.

Disclosure of Campaign Contributions

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following questions must be answered:

Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? Yes No

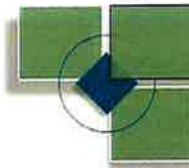
If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

- 1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the...



DeKalb County Department of Planning & Sustainability



Michael L. Thurmond
Chief Executive Officer

Andrew A. Baker, AICP
Director

APPLICATION TO AMEND OFFICIAL ZONING MAP OF DEKALB COUNTY, GEORGIA

Z/CZ No. _____
Filing Fee: _____

Date Received: _____ Application No.: _____

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Applicant Mailing Address: One West Court Square, Ste. 750 Decatur, GA 30030

Applicant Phone: 404.601.7616 Fax: 404.745.0045

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(If more than one owner, attach as Exhibit "A")

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Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? _____ Yes X No

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing;

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and the Board of Commissioners, DeKalb County, 1300 Commerce Drive, Decatur, Ga. 30030.

NOTARY

EXPIRATION DATE / SEAL

[Handwritten Signature]

 SIGNATURE OF APPLICANT / DATE 9-1-2020

[Handwritten Signature]

 Check One: Owner _____ Agent X

[Handwritten Signature]

 EXPIRATION DATE / SEAL 11-5-2026

330 West Ponce de Leon Avenue - Suites 100-500 - Decatur, Georgia - 30030
 [voice] 404.371.2155 - [Planning Fax] (404) 371-4556 [Development Fax] (404) 371-3007
 Web Address: <http://www.dekalbcountyga.gov/planning>
 Email Address: planninganddevelopment@dekalbcountyga.gov



404.371.2155 (o)
404.371.4556 (f)
DeKalbCountyGa.gov

Clark Harrison Building
330 W. Ponce de Leon Ave
Decatur, GA 30030

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

REZONE APPLICATION AUTHORIZATION

Completion of this form is required if the individual making the request is **not** the owner of the property.

DATE: _____

CHECK TYPE OF APPLICATION:

- LAND USE PLAN
- REZONE
- MINOR MODIFICATION

TO WHOM IT MAY CONCERN:

(I) (WE), _____ Erskine Park, LLC
(Name of owner(s))

being (owner)/(owners) of the property described below or attached hereby delegate authority to

_____ Lennar Corporation c/o Battle Law, P.C.
(Name of Applicant or Agent Representing Owner)

to file an application on (my) / (our) behalf.

Gabrielle C. Opie
Notary Public



Marie Devine
dotloop verified
09/01/20 5:54 PM EDT
RE1N-PYES-KOT6-FSS1

Owner

Notary Public

Owner

Notary Public

Owner

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

PRE-APPLICATION FORM
REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE
(Required prior to filing application: signed copy of this form must be submitted at filing)

Applicant Name: Lennar/c/o Battle Law PC___ Phone: 404.601.7616_____ Email:
mlb@battlelawpc.com_____

Property Address: 4549 Erskine Road and 1247 Oakmont Drive, Clarkston, Georgia

Tax Parcel ID: 18 121 02 001, 18 121 12 007

Comm. District(s): 4 & 6 _____ Acreage: __12.11 acres_____

Existing Use: _Residential _____

Proposed Use: 63 Single-family detached urban townhomes at 5.2 units per acre with density bonus_____

Supplemental Regs: NA_____ Overlay District: NA__ DRI: No_____

Rezoning: Yes No _____

Existing Zoning: _____R85_____ Proposed Zoning: RSM_____

Square Footage/Number of Units: _____

Rezoning Request: R85 to RSM for Development of Urban detached Townhomes Community

Land Use Plan Amendment: Yes___ No

Existing Land Use: _____SUB_____ Proposed Land Use: _____NA_____ Consistent
Inconsistent_____

Special Land Use Permit: Yes___ No Article Number(s) 27-_____

Special Land Use Request(s)

NA_____

Major Modification: NO

Existing Case Number(s): _____NA_____

Condition(s) to be modified:

DEPARTMENT OF PLANNING & SUSTAINABILITY

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: Review Calendar Dates: PC: BOC:
 Letter of Intent: Impact Analysis: Owner Authorization(s): Campaign
Disclosure: Zoning Conditions: Community Council Meeting: Public
Notice, Signs: Tree Survey, Conservation: Land Disturbance Permit (LDP):
 Sketch Plat: Bldg. Permits: _____ Fire Inspection: _____ Business License:
 State License: Lighting Plan: Tent Permit: _____ Submittal Format:

NO STAPLES, NO BINDERS PLEASE

Review of Site Plan

Density: Density Bonuses: Mix of Uses: na Open Space:
Enhanced Open Space: Setbacks: front na sides na side corner na rear
 Lot Size: _____ Frontage: Street Widths: _____ Landscape Strips:
Buffers: _____ Parking Lot Landscaping: NA Parking - Auto: _____ Parking - Bicycle:
_____ Screening: _____ Streetscapes: _____ Sidewalks: _____ Fencing/Walls: _____ Bldg.
Height: _____ Bldg. Orientation: _____ Bldg. Separation: _____ Bldg. Materials: _____ Roofs: _____
Fenestration: _____ Façade Design: _____ Garages: _____ Pedestrian Plan: _____ Perimeter Landscape
Strip: _____

Comments: Check traffic capacity of Erskine Road, will be reviewed by County Traffic Engineer. Need to provide justification for RSM zoning in R-85 area, and provide justification for compatibility of proposed two story structures on small lots in midst of larger lot single-family detached community in surrounding area. If providing single-family detached, the perimeter lot compatibility standards of Article 5.2.3 may apply since proposing more than 20 lots; however applicant contends that this is not applicable because these are “urban”

DEPARTMENT OF PLANNING & SUSTAINABILITY

detached and not single-family detached, and the proposed lots are not directly adjacent to the existing perimeter lots. Streetscape requirements required along frontage of Erskine. Landscaping of 3 trees per single-family lot required by Article 5. Applicant has provided 20 foot buffer around the perimeter as required by zoning ordinance. Applicant is encouraged to provide conceptual elevations to show compliance with Building materials requirements in Article 5. Applicant will be abandoning part of Oakmont drive. Applicant will be using public art for a portion of density bonus—location to be determined, may be on or off-site. Applicant already has pre-community Zoom meeting scheduled prior to September 2nd deadline.

Planner: John Reid Date 8/12/2020

Filing Fees

REZONING:	RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1	\$500.00
	RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5	\$750.00
	OI, OD, OIT, NS, C1, C2, M, M2	\$750.00
LAND USE MAP AMENDMENT		\$500.00
SPECIAL LAND USE PERMIT		\$400.00

STATEMENT OF INTENT AND
IMPACT ANALYSIS

and

Other Material Required by
DeKalb County Zoning Ordinance
for the
Application for Rezoning

of

Lennar Georgia, Inc.

for

12.11± acres of land located at
4549 Erskine Park and 1247 Oakmont Drive
Land Lot 121 of the 18th District, DeKalb County, GA

Submitted for Applicant by:

Michèle L. Battle, Esq.
Battle Law, P.C.
One West Court Square, Suite 750
Decatur, Georgia 30030
Phone: (404) 601-7616
Fax: (404) 745-0045
Email: mlb@battlelawpc.com

I. STATEMENT OF INTENT

The Applicant, Lennar Georgia, Inc. is seeking to rezone the properties located at 4549 Erskine Park and 1247 Oakmont Drive, along with the unopened portion of Oakmont Drive which cuts through the property (collectively, the Subject Property”), to be rezoned from R-85 to RSM for the development of a 63 unit urban detached townhome community, at a density of 5.20 units per acre. The Subject Property has a land use designation of Suburban. In order to achieve the density bonus of 1.2 units per acre, the Applicant will be providing the following:

1. Public sidewalk connection to Stone Mountain Trail with a new 8 ft multi-use path of 1,480 linear feet or .28 miles (0.8 density credits) as shown on the submitted site plan.
2. Public art. (.8 density credits).

This document is submitted both as a Statement of Intent regarding this Application, a preservation of the Applicant’s constitutional rights, and the Impact Analysis of this Application as required by the DeKalb County Zoning Ordinance. A surveyed plat and conceptual site plan of the Subject Property controlled by the Applicant has been filed contemporaneously with the Application, along with other required materials.

II. IMPACT ANALYSIS

- (a) Suitability of use: The proposed rezoning will allow for the development of residential lots at a density that is suitable for the area considering the existing uses and zoning classifications in the area, which are all for residential development. The proposed urban detached townhome community will allow for a product that is attractive to young professionals and empty nesters who have a desire to live near the Stone Mountain Trail, with easy access to Highway 78, and within a short distance of Stone Mountain Park.

- (b) Effect on adjacent property: The proposed development will have a positive impact on the surrounding community. First, it will provide for new homes owners in the area, on a underdeveloped lot. Second, the anticipated price points on the homes be equal to or greater than the surrounding home values, which will help support the existing home values in the area. Third, the Applicant will be making improvements to access to Stone Mountain Trail which will benefit the surrounding community.
- (c) Effect on public facilities: The Subject Property is in an area with public utility availability. The proposed rezoning will not cause excessive use of streets, transportation facilities, or utilities in the area.
- (d) Economic use of current zoning: The Subject Property has no use as currently zoned R-85. The current owner of the Subject Property has been marketing the property for sale since 2013. To date no prospective purchaser has been willing to develop the Subject Property as current zoned. Due to the increase in construction costs, along with the extensive improvements now required by Dekalb County for residential subdivisions, including, internal sidewalks, street trees, street lights, open space requirements, right of way dedication together with public streetscape requirements, detention requirements, and new home design requirements, the cost of development would far exceed the current density allowed on the Subject Property. Additionally, the current market supports smaller lot development.
- (e) Effect on historic building, sites, etc. The approval of this Application will not have any adverse impact on any historic buildings, sites, districts or archaeological resources in the area.

(f) Compatibility with Comprehensive Land Use Plan. The Subject Property has a land use designation of Suburban which supports the RSM zoning district.

IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Land use Amendment Application at issue be approved. Please note that the Applicant's Notice of Constitutional Allegations and Preservation of Constitutional Rights have been submitted with this Application and are attached hereto and by this reference incorporated herein.

This 3rd day of September, 2020.

Respectfully submitted,



Michèle L. Battle, Esq.
Attorney For Applicant

NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF
CONSTITUTIONAL RIGHTS

The portions of the DeKalb County Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the DeKalb County Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the DeKalb County Board of Commissioners to rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the rezoning in questions would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the rezoning in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A. Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of DeKalb County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Campaign Contribution Disclosure Statements

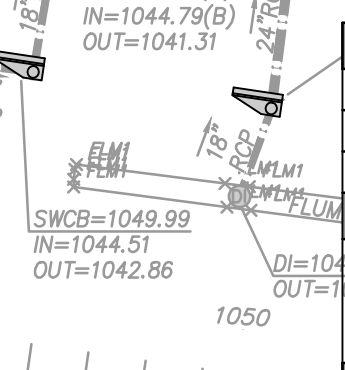
CAMPAIGN CONTRIBUTIONS DISCLOSURE STATEMENT

Pursuant to the provisions of 36 O.C.G.A. 67(A), please find below a list of those contributions made by Michèle L. Battle or Battle Law, P.C. in the past two years, aggregating \$250.00 or more, to local government officials who will consider this application.

NAME OF GOV'T OFFICIAL	OFFICIAL POSITION	AMOUNT OF CONTRIBUTION
Kathie Gannon	Commissioner	\$350
Mereda Davis Johnson	Commissioner	\$500
Larry Johnson	Commissioner	\$700
Lorraine Cochran-Johnson	Commissioner	\$250

By: 
Printed Name: Michèle Battle

24 HOUR CONTACT:
JEFF ANTHONY
678-414-5186



SITE DATA:	
TOTAL SITE AREA	12.11 ACRES
AREA OF RW TO ABANDON	0.517 ACRES
ORIGINAL SITE AREA	11.593 ACRES
ZONING	
EXISTING ZONING	R-85
PROPOSED ZONING	RSM - (URBAN DETACHED HOME)
ZONING JURISDICTION	DEKALB COUNTY, GEORGIA
SETBACK REQUIREMENTS	
FRONT SETBACK	15 FEET
SIDE SETBACK (INTERIOR)	0 FEET (MIN. 3' BLDG. SEPARATION)
SIDE SETBACK (PUBLIC STREET CORNER)	15 FEET
REAR SETBACK	20 FEET (RESIDENTIAL)
MIN. LOT WIDTH	25 FEET
DEVELOPMENT STANDARDS	
URBAN DETACHED HOMES	63 UNITS
TOTAL SITE DENSITY PROVIDED	5.20 UPA (DENSITY BONUS = 5.6 ALLOWED)
MAX. SITE DENSITY (RSM)	4 UPA (BASE) - 8 UPA (DENSITY BONUSES)
MIN. BLDG. HEATED SF	1,200 SF
MAX. BLDG. HEIGHT (RESIDENTIAL)	3 STORIES OR 45 FEET
OPEN SPACE CALCULATIONS	
MIN. OPEN SPACE REQUIRED	2.42 ACRES
(20% OF TOTAL SITE AREA)	(105,415 SF)
OPEN SPACE PROVIDED	3.03 ACRES
TOTAL SQUARE FOOTAGE	(131,986 SF / 29.0 % OF TOTAL SITE AREA)
PARKING REQUIREMENTS	
MIN. RESIDENTIAL PARKING SPACES REQ.	126 SPACES (2 SPT/DWELLING UNIT)
MAX. RESIDENTIAL PARKING SPACES REQ.	252 SPACES (4 SPT/DWELLING UNIT)
GUEST PARKING SPACES PROVIDED	10 SPACES
RESIDENTIAL PARKING PROVIDED	252 SPACES (4 SPT/DWELLING UNIT)
TOTAL PARKING PROVIDED	262 SPACES

DENSITY BONUS NOTES:

- ADDITIONAL DENSITY PROVIDED BY PUBLIC SIDEWALK CONNECTION TO STONE MOUNTAIN TRAIL, NEW 8' MULTIPURPOSE PATH PROVIDED = 1,480 LINEAR FEET OR 0.28 MILES. (0.8 CREDITS)
- PUBLIC ART PLACED AT NORTHEAST SIDE OF ENTRANCE. (0.8 CREDITS)

TOTAL DENSITY BONUS CREDITS = 1.6 DENSITY CREDITS

REVISIONS:

NO.	DATE	BY	DESCRIPTION

This drawing is the property of Planners and Engineers Collaborative and is not to be copied in whole or in part. It is not to be used on any other project and is to be returned upon request. © Planners and Engineers Collaborative.

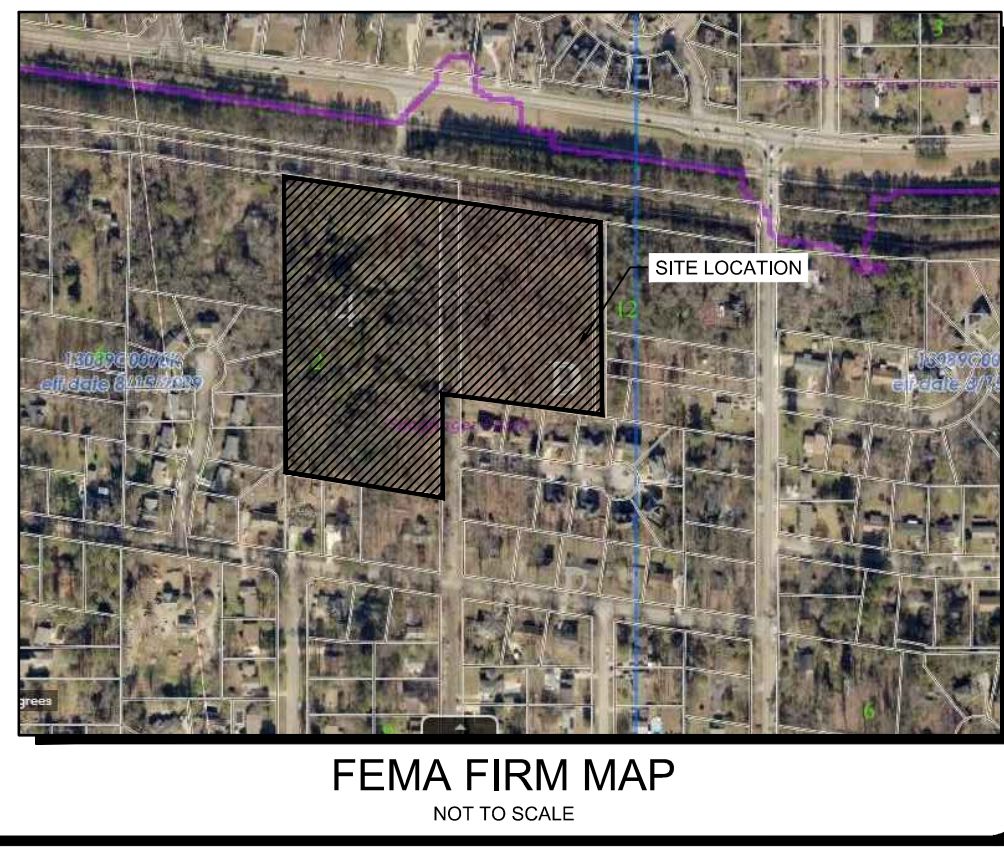
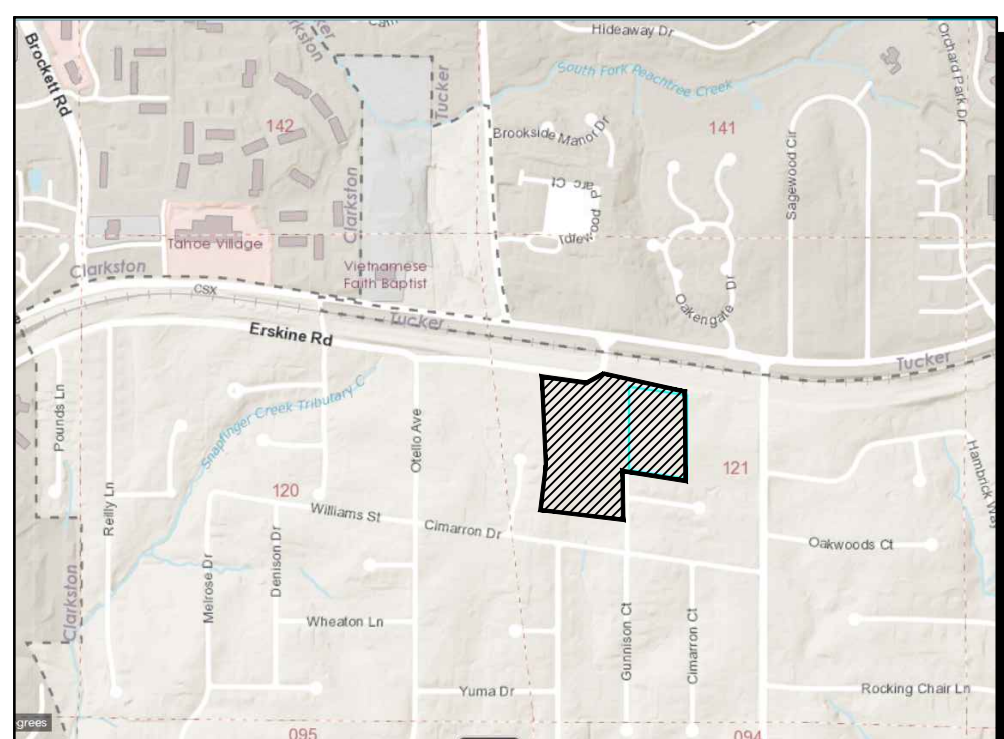
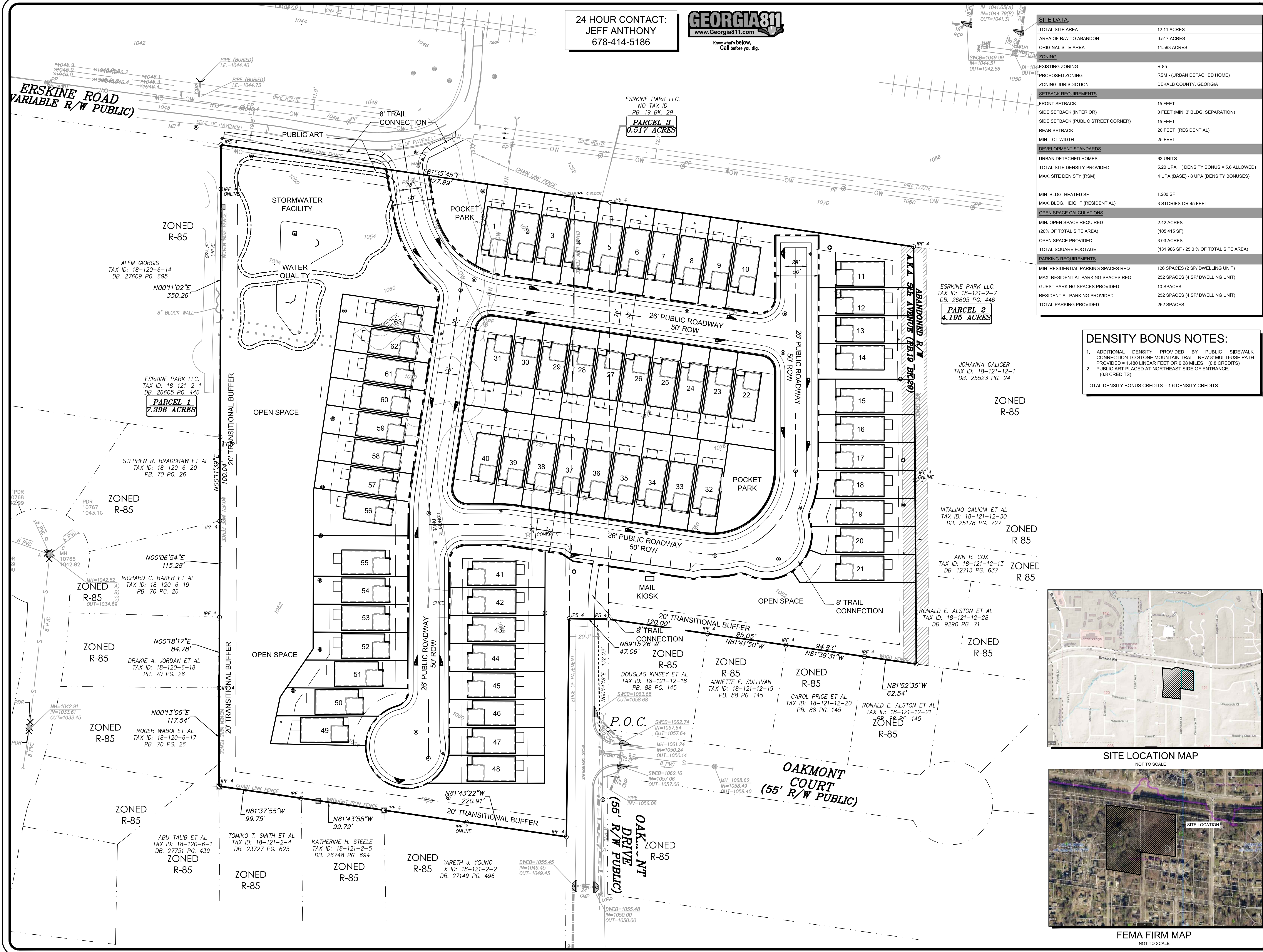
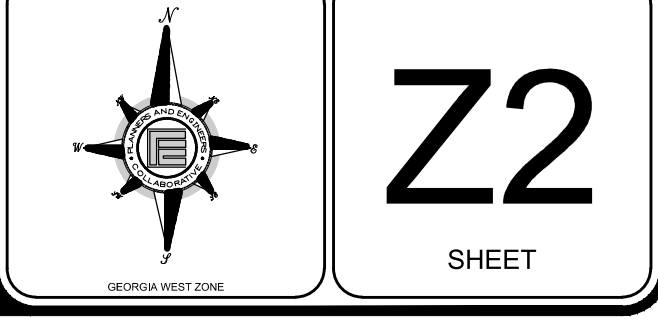
ZONING MASTER PLAN

SCALE: 1" = 50'
DATE: AUGUST 11, 2020
PROJECT: 20121.00

THIS SEAL IS ONLY VALID IF COUNTER SIGNED AND DATED WITH AN ORIGINAL SIGNATURE.

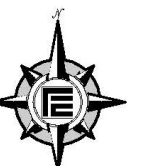


GSWCC LEVEL II DESIGN PROFESSIONAL CERTIFICATION # 000059389 EXP. 10/28/2021



OAKMONT DRIVE at ERKSINE ROAD
A MASTER PLANNED RESIDENTIAL DEVELOPMENT
FOR
LENNAR GEORGIA
1000 HOLCOMB WOODS PKWY
BLDG. 4, SUITE 450
ROSWELL, GEORGIA 30076
PHONE: 678-414-5186

PLANNERS AND ENGINEERS COLLABORATIVE
SITE PLANNING | LANDSCAPE ARCHITECTURE | CIVIL ENGINEERING | LAND SURVEYING
350 RESEARCH COURT | PEACHTREE CORNERS, GEORGIA 30092 | (770) 451-2741 | FAX (770) 451-9915



NOTES

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION SUPPLIED AND TO THE SURVEYOR'S BEST KNOWLEDGE ARE APPROXIMATELY AS SHOWN. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
2. I HAVE EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR DEKALB COUNTY, GEORGIA AND INCORPORATED AREAS, COMMUNITY PANEL NUMBER 13089C007BK, EFFECTIVE DATE AUGUST 15, 2019 AND FOUND THE PROPERTY SHOWN HEREON TO FALL WITHIN A DESIGNATED FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD).
3. THE ORTHOMETRIC HEIGHTS (ELEVATIONS AND CONTOURS) SHOWN HEREON WERE DETERMINED BY GPS OBSERVATIONS AND WERE ADJUSTED BY PLANNERS AND ENGINEERS COLLABORATIVE IN JUNE 2020. NORTH AMERICAN DATUM OF 1983 (NAD83), NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88), GEORGIA WEST ZONE STATE PLANE COORDINATES.
4. THE TERM "CERTIFICATION" RELATING TO PROFESSIONAL ENGINEERING AND LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.
5. THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS ONLY INTENDED TO COVER A SPECIFIC PORTION OF THE SUBJECT PROPERTY.
6. THE PROPOSED PARCELS SHOWN HEREON MAY OR MAY NOT CONSTITUTE A LEGAL SUBDIVISION.
7. NO ZONING INFORMATION PROVIDED FOR BUILDING SETBACKS.
8. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
7. THE UNDERGROUND UTILITIES SHOWN HEREON WERE DETERMINED BY LOCATING PAINT MARKINGS CREATED BY SUBSURFACE UTILITY INVESTIGATIONS, LLC. - PHONE-(770) 557-4142.

TITLE EXCEPTIONS

- CalAtlantic Commitment number 189003-002475-GA with an effective date of June 9, 2020 was used in the preparation of this survey and the listed exceptions are as follows:
4. Easement from J. E. Zucker to Georgia Power Company, dated May 9, 1950, filed for record June 13, 1950, recorded in Deed Book 814, Page 395(o), DeKalb County, Georgia records (This is an Old Georgia Power easement that is blanket in nature).
 5. Deleted.
 6. Title to that portion of the Land lying within the bounds of Fourth Avenue; Williams Street aka Williams Road; Fifth Avenue; Oakmont Drive and Rays Road right(s)-of-way (Upon the abandonment proceedings for 5th Ave and Oakmont, this exception will be deleted).
 7. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variation, or other adverse circumstance affecting the Title disclosed by plat(s) recorded in Plat Book 1, Page 18, DeKalb County, Georgia records. (Affects all Parcels).
 8. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variation, or other adverse circumstance affecting the Title disclosed by plat(s) recorded in Plat Book 19, Page 29, DeKalb County, Georgia records. (Affects Parcels 2 & 3).

ABBREVIATIONS

APPROX.	Approximate	I.E.	Invert Elevation
#4	1/2" Rebar	IPF	Iron Pin Found
C&G	Curb and Gutter	IPS	Iron Pin Set
CLF	Chain Link Fence	LP	Light Pole
CMP	Corrugated Metal Pipe	MW	Monitoring Well
CO	Clean Out	N/F	Now or Formerly
CPP	Corrugated Plastic Pipe	OTP	Open Top Pipe
DB	Deed Book	PB	Plat Book
DI	Drop Inlet	PS	Page
DE	Drainage Easement	PKF	PK Nail Found
EOP	Edge of Pavement	PKS	PK Nail Set
EPP	Electric Power Pole	POB	Point of Beginning
EPAN	Electric Panel	POC	Point of Commencement
ESMT	Easement	PVC	Polyvinyl Chloride Pipe
FES	Flared End Section	RBC	Rebar Capped
FFE	Finish Floor Elevation	RCP	Reinforced Concrete Pipe
FH	Fire Hydrant	RWM	Right of Way Monument
FLGP	Flag Pole	SSE	Sanitary Sewer Easement
GA	Georgia	SSMH	Sanitary Sewer Manhole
GM	Gas Meter	TRAN	Transformer
GW	Guy Wire	VCP	Vitrified Clay Pipe
HDR	Hand Rail	W.D.F.	Wood Fence
H.W.	Hard Wood	WM	Water Meter
HW	Headwall	WV	Water Valve
ICV	Irrigation Control Valve		

LINETYPES

PROPERTY	Adjacent Property	EXISTING OVERHEAD	Overhead Wires
-----	Property Line	-----	Cable
-----	Center of Creek	-----E-----	Electric
-----		-----FO-----	Fiber Optic
FENCE LINES		-----G-----	Gas
-----x-----	Barb Wire Fence	-----T-----	Telecommunications
-----o-----	Chain link fence	-----W-----	Water
-----□-----	Wood Fence	-----TV-----	Television
-----#-----	Woven Wire Fence	-----S-----	Storm Drainage Line
SITE / TOPOGRAPHIC FEATURES		-----S-----	Sanitary Sewer
-----	Guardrail		



LEGAL DESCRIPTION PARCEL 1

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 121 of the 18th District, DeKalb County, Georgia and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, COMMENCE at a point located at the intersection of the northerly Right-of-Way (R/W) line of Oakmont Court (55' R/W public) and the easterly R/W of Oakmont Drive (55' R/W public); thence North 00 degrees 14 minutes 18 seconds East a distance of 132.03' to a #4 iron pin set; thence North 89 degrees 15 minutes 26 seconds West a distance of 47.06' to a #4 iron pin set; said point being THE TRUE POINT OF BEGINNING, thence South 00 degrees 44 minutes 34 seconds West a distance of 261.19' to a #4 iron pin found; thence North 81 degrees 43 minutes 22 seconds West a distance of 220.91' to a #4 iron pin found; thence North 81 degrees 43 minutes 58 seconds West a distance of 99.79' to a #4 iron pin found; thence North 81 degrees 37 minutes 55 seconds West a distance of 99.75' to a #4 iron pin found; thence North 00 degrees 13 minutes 05 seconds East a distance of 117.54' to a #4 iron pin found; thence North 00 degrees 18 minutes 17 seconds East a distance of 84.78' to a #4 iron pin found; thence North 00 degrees 06 minutes 54 seconds East a distance of 115.28' to a #4 iron pin found; thence North 00 degrees 11 minutes 39 seconds East a distance of 100.04' to a #6 open top pipe found; thence North 00 degrees 11 minutes 02 seconds East a distance of 350.26' to a #4 iron pin set; thence South 81 degrees 35 minutes 45 seconds East a distance of 427.99' to a #4 iron pin found; thence South 00 degrees 44 minutes 34 seconds West a distance of 504.90' to a #4 iron pin set; and THE TRUE POINT OF BEGINNING.

Said tract having an area of 7.398 acres.

LEGAL DESCRIPTION PARCEL 2

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 121 of the 18th District, DeKalb County, Georgia and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, COMMENCE at a point located at the intersection of the northerly Right-of-Way (R/W) line of Oakmont Court (55' R/W public) and the easterly R/W of Oakmont Drive (55' R/W public); thence North 00 degrees 14 minutes 18 seconds East a distance of 132.03' to a #4 iron pin set; said point being THE TRUE POINT OF BEGINNING, thence North 00 degrees 14 minutes 18 seconds East a distance of 499.10' to a #4 iron pin set; thence South 81 degrees 40 minutes 48 seconds East a distance of 367.12' to a #4 iron pin found; thence South 00 degrees 22 minutes 00 seconds East a distance of 499.67' to a point; thence North 81 degrees 52 minutes 35 seconds West a distance of 62.54' to a #4 iron pin found; thence North 81 degrees 39 minutes 31 seconds West a distance of 94.83' to a #4 iron pin found; thence North 81 degrees 41 minutes 50 seconds West a distance of 95.05' to a #4 iron pin found; thence North 81 degrees 40 minutes 41 seconds West a distance of 120.00' to a #4 iron pin set; and THE TRUE POINT OF BEGINNING.

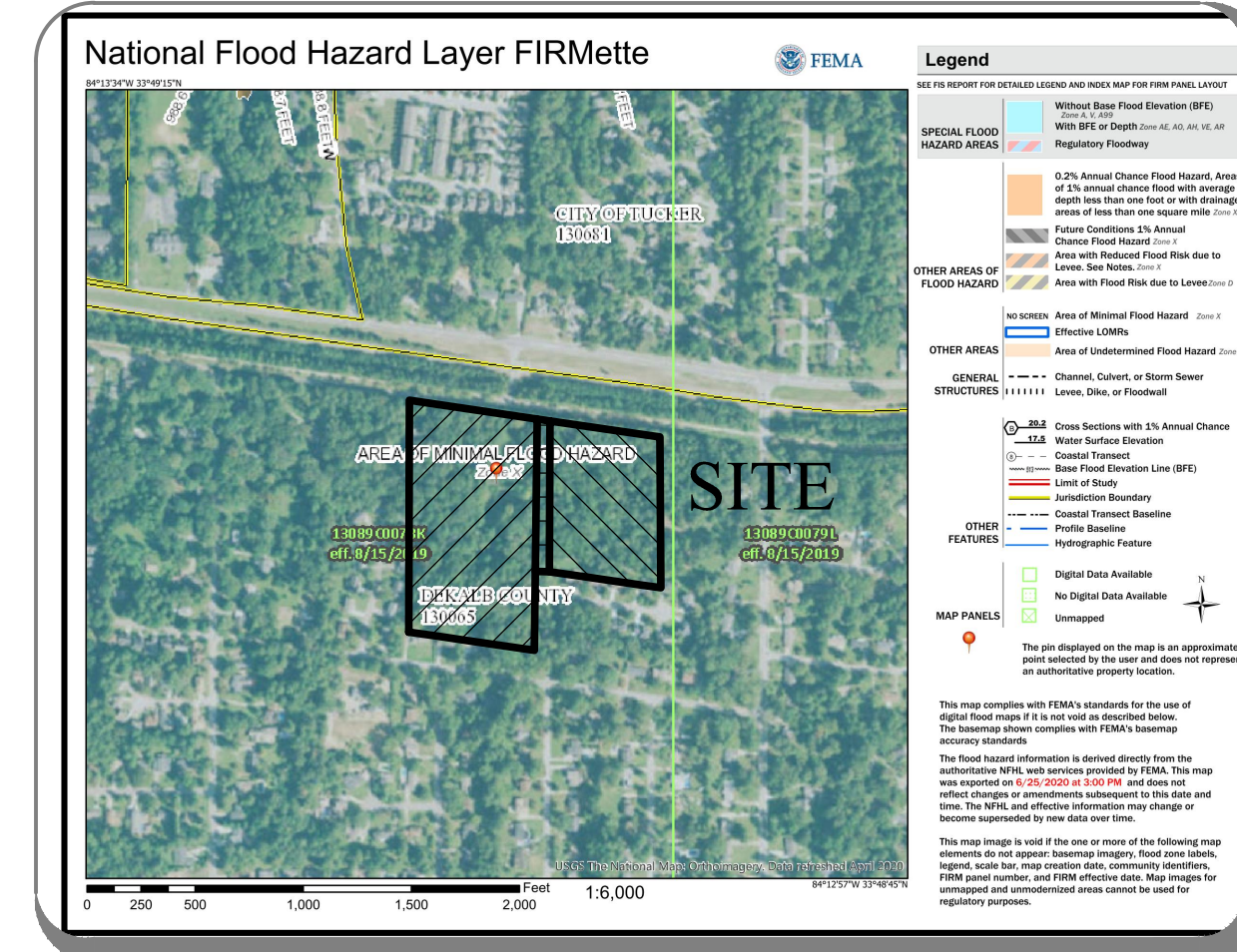
Said tract having an area of 4.195 acres.

LEGAL DESCRIPTION PARCEL 3

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 121 of the 18th District, DeKalb County, Georgia and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, COMMENCE at a point located at the intersection of the northerly Right-of-Way (R/W) line of Oakmont Court (55' R/W public) and the easterly R/W of Oakmont Drive (55' R/W public); thence North 00 degrees 14 minutes 18 seconds East a distance of 132.03' to a #4 iron pin set; said point being THE TRUE POINT OF BEGINNING, thence North 89 degrees 15 minutes 26 seconds West a distance of 47.06' to a #4 iron pin set; thence North 00 degrees 44 minutes 34 seconds East a distance of 504.90' to a #4 iron pin found; thence South 81 degrees 29 minutes 09 seconds East a distance of 43.06' to a #4 iron pin set; thence South 00 degrees 14 minutes 18 seconds West a distance of 499.10' to a #4 iron pin set; and THE TRUE POINT OF BEGINNING.

Said tract having an area of 0.517 acres.



SITE MAP (NTS)

LEGEND

- IPF IRON PIN FOUND (#4 Re-Rod unless noted otherwise)
- IPS IRON PIN SET (#4 Re-Rod unless noted otherwise)
- OT PIPE IRON PIN FOUND (open top pipe)
- CT PIPE IRON PIN SET (casing top pipe)
- POINT
- ⊕ CMF CONCRETE MONUMENT FOUND
- ⊕ MW SANITARY SEWER MANHOLE
- ⊕ GREASE TRAP
- ⊕ CLEANOUT
- ⊕ TELEPHONE MANHOLE
- ⊕ ACCESS MANHOLE
- S— SANITARY SEWER LINE
- SD— STORM DRAINAGE LINE
- CS— COMB. STORM & SAN. SEWER LINE
- SMB— SINGLE MING CATCH BASIN LEFT
- SMBR— SINGLE MING CATCH BASIN RIGHT
- SMBDR— DOUBLE MING CATCH BASIN
- ⊕ OUTLET CONTROL STRUCTURE
- ⊕ JUNCTION BOX
- ⊕ YARD INLET
- ⊕ GRATE INLET
- ⊕ CURB INLET
- ⊕ DROP INLET
- ⊕ HEADWALL
- ⊕ WEIR INLET
- ⊕ IRRIGATION VALVE
- ⊕ PP POWER POLE
- ⊕ TP TRAFFIC POLE
- ⊕ SP SERVICE POLE
- ⊕ POWER POLE W/ GUY WIRE
- P— OVERHEAD POWER / TELEPHONE LINE
- ⊕ ELECTRIC METER
- ⊕ ELECTRIC TRANSFORMER
- ⊕ ELECTRIC BOX
- ⊕ AIR CONDITIONER UNIT
- ⊕ WATER METER
- ⊕ WATER VALVE
- ⊕ GAS METER
- ⊕ GAS VALVE
- ⊕ FIRE HYDRANT
- ⊕ WATER LINE
- ⊕ LIGHT POLE
- ⊕ TW TOP OF WALL
- ⊕ (SOL TO W) CALLS PER DEED
- ⊕ BW BOTTOM OF WALL
- ⊕ WALL (TYP)
- ⊕ BLOCK WALL
- ⊕ BRW BRICK WALL
- ⊕ CW CONCRETE WALL
- ⊕ RCP REINFORCED CONCRETE PIPE
- ⊕ B.S.L. BUILDING SETBACK LINE
- ⊕ SOW DRAINAGE ARROW
- ⊕ MAILBOX
- ⊕ GAS LIGHT
- BOLLARD

SITE AREA:	
PARCEL 1:	7.398 ACRES
PARCEL 2:	4.195 ACRES
PARCEL 3:	0.517 ACRES
OVERALL SITE:	12.110 ACRES

The field data upon which this map or plat is based has a closure precision of one foot in 66,396 feet and an angular error of 00° 00' 02" per angle point and was adjusted using the compass adjustment rule.

This map or plat has been calculated for closure and is found to be accurate to within one foot in 150,261 feet. PARCEL 1 1,139,139 PARCEL 2 309,440 PARCEL 3

EQUIPMENT USED:
ANGULAR: TOPCON TOTAL STATION
LINEAR: TOPCON TOTAL STATION

To Lennar Georgia, Inc., and to Chicago Title Insurance Company:
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-4, 8, 9, 10, 13, and 16 of Table A thereof. The field work was completed on:
Date of Map or Plat: July 6, 2020.

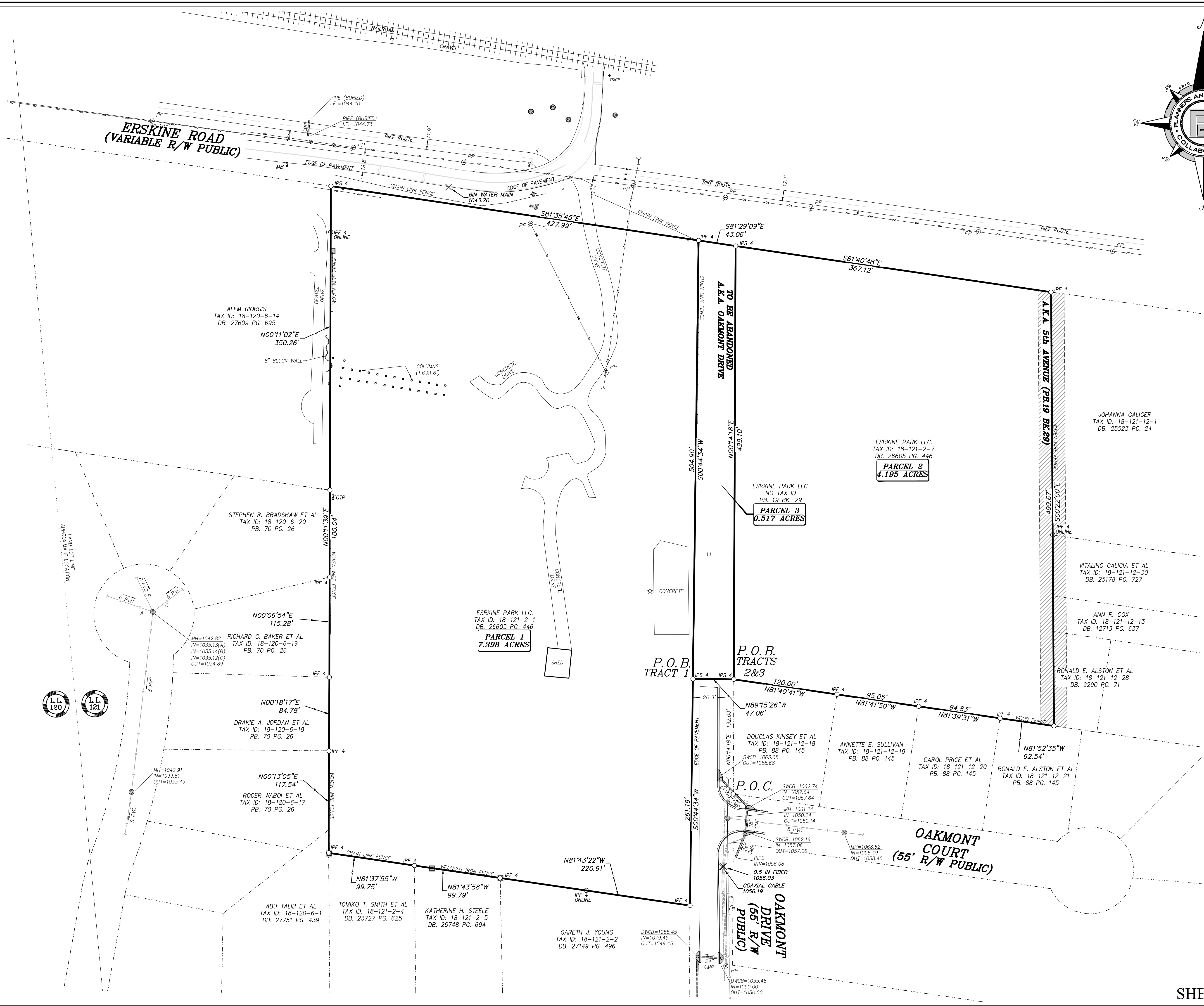
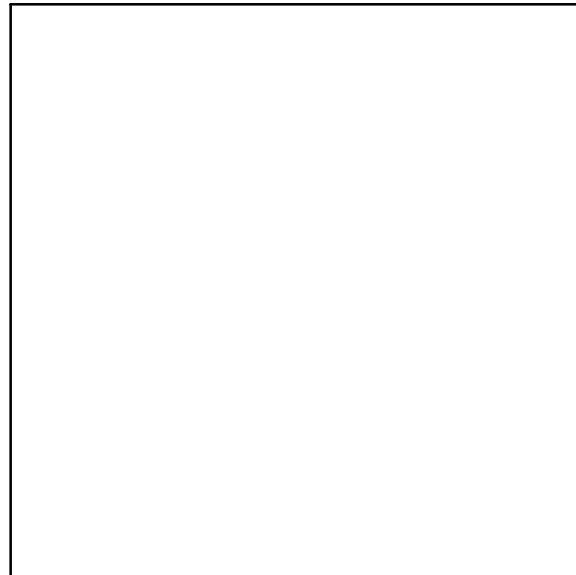
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CHECKED BY: FA
FILE NO.: 2017100
DATE OF FIELD WORK: 07/02/20
SCALE: 1"=50'



ALTA/NSPS LAND TITLE SURVEY FOR LENNAR GEORGIA, INC., AND TO CHICAGO TITLE INSURANCE COMPANY
DEKALB COUNTY GEORGIA
LAND LOT(S) 121
DISTRICT 18th

REV	DATE	DESCRIPTION	BY
5			
4			
3			
2			
1			

PLANNERS AND ENGINEERS COLLABORATIVE
"WE PROVIDE SOLUTIONS"
SITELANDSCAPE ARCHITECTURE
CIVIL ENGINEERING & LAND SURVEYING
350 RESEARCH COURT PEACHTREE CORNER, GEORGIA 30072
1770161-1000
C.O.A.-LSF00004



DRAWN BY: FA
CHECKED BY: FA
FILE NO.: 2017100
SCALE: 1"=50'
DATE OF FIELD WORK: 07/02/20



ALTA/NSPS LAND TITLE SURVEY
FOR
LENNAR GEORGIA, INC. AND TO CHICAGO
TITLE INSURANCE COMPANY
DEKALB COUNTY GEORGIA
LAND LOT(S) 121
DISTRICT 15th

REV	DATE	DESCRIPTION	BY
5			
4			
3			
2			
1			

PLANNERS AND ENGINEERS COLLABORATIVE
"WE PROVIDE SOLUTIONS"
SITE PLANNING ■ LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING ■ LAND SURVEYING
350 RESEARCH COURT PEACHTREE CORNER, GEORGIA 30072
(770) 961-1100
C.O.A.-LSF00004

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LEGAL DESCRIPTION PARCEL 2

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 121 of the 18th District, Dekalb County, Georgia and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, COMMENCE at a point located at the intersection of the northerly Right-of-Way (R/W) line of Oakmont Court (55' R/W public) and the easterly R/W of Oakmont Drive (55' R/W public); thence North 00 degrees 14 minutes 18 seconds East a distance of 132.03' to a #4 iron pin set; said point being THE TRUE POINT OF BEGINNING., thence North 00 degrees 14 minutes 18 seconds East a distance of 499.10' to a #4 iron pin set; thence South 81 degrees 40 minutes 48 seconds East a distance of 367.12' to a #4 iron pin found; thence South 00 degrees 22 minutes 00 seconds East a distance of 499.67' to a point; thence North 81 degrees 52 minutes 35 seconds West a distance of 62.54' to a #4 iron pin found; thence North 81 degrees 39 minutes 31 seconds West a distance of 94.83' to a #4 iron pin found; thence North 81 degrees 41 minutes 50 seconds West a distance of 95.05' to a #4 iron pin found; thence North 81 degrees 40 minutes 41 seconds West a distance of 120.00' to a #4 iron pin set; and THE TRUE POINT OF BEGINNING.

Said tract having an area of 4.195 acres.

LEGAL DESCRIPTION PARCEL 3

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 121 of the 18th District, Dekalb County, Georgia and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, COMMENCE at a point located at the intersection of the northerly Right-of-Way (R/W) line of Oakmont Court (55' R/W public) and the easterly R/W of Oakmont Drive (55' R/W public); thence North 00 degrees 14 minutes 18 seconds East a distance of 132.03' to a #4 iron pin set; said point being THE TRUE POINT OF BEGINNING.,thence North 89 degrees 15 minutes 26 seconds West a distance of 47.06' to a #4 iron pin set; thence North 00 degrees 44 minutes 34 seconds East a distance of 504.90' to a #4 iron pin found; thence South 81 degrees 29 minutes 09 seconds East a distance of 43.06' to a #4 iron pin set; thence South 00 degrees 14 minutes 18 seconds West a distance of 499.10' to a #4 iron pin set; and THE TRUE POINT OF BEGINNING.

Said tract having an area of 0.517 acres.

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